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Cc: []
From: CN=Antonio Bravo/OU=DC/O=USEPA/C=US
Sent: Mon 6/4/2012 11:36:14 AM
Subject: FYI Only: Water articles in the Press
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With Bristol Bay assessment, EPA does disservice to Alaska	06/03/2012	Anchorage
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Greenwire	EPA raises water concerns in permitting for portion of Keystone pipeline near Texas coast	06/02/2012	Orlando
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	EPA's policy review won't delay utility's plan to drain Garret Mountain reservoirs	06/02/2012	NorthJersey.com
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	In Land of Gas Drilling, Battle for Water That Doesn't Reek or Fizz	06/02/2012	New York Times - Online, The
NY			
	Is Indiana taking proper action against toxins in our waterways?	06/02/2012	Indianapolis Star - Online, The IN
	Judge once again delays new Florida water pollution rules	06/02/2012	Tampa Tribune - Online FL
	Rewards of regulation	06/02/2012	Providence Journal - Online RI
	Water pollution figures can be apples and oranges	06/02/2012	Indianapolis Star - Online, The IN
	Chesapeake Plumbing Inc. Offers Green Plumbing Services	06/01/2012	UPI.com DC
	CORRECTING and REPLACING Tennessee American Water Files Rate Increase With Tennessee Regulatory Authority	06/01/2012	UPI.com DC
	EPA has concerns for Keystone pipeline near coast	06/01/2012	Bloomberg Businessweek - Online NY
	House panel to host mountaintop mining hearing	06/01/2012	NewsOK.com (Oklahoman) - Online OK
	Judge again delays new Fla. water pollution rules	06/01/2012	Miami Herald - Online, The FL
Online	Judge in case involving Parker County well contamination loses election	06/01/2012	Fort Worth Star-Telegram - TX
	Louisville will replace many of downtown's dead or dying trees	06/01/2012	Indianapolis Star - Online, The IN
	Midwest cattle farmers complain of US government "spying"	06/01/2012	Orlando Sentinel - Online FL
	Montclair State University names new director for environmental institute	06/01/2012	NorthJersey.com NJ
	Passaic County to discuss 'green' infrastructure planning	06/01/2012	NorthJersey.com NJ
	RIALTO: State requests input on perchlorate contamination	06/01/2012	Press-Enterprise - Online CA

News Headline: EPA defends aerial surveillance |

Outlet Full Name: Omaha World-Herald - Online

News Text: LINCOLN — Snapping photos of livestock farms from an airplane is a legal and cost-effective way to help protect Nebraska and Iowa streams from runoff contamination, say officials with the U.S. Environmental Protection Agency.

The agency's aerial surveillance program came under scrutiny last week when Nebraska's congressional delegation sent a joint letter to EPA Administrator Lisa Jackson. The elected officials asked Jackson to reply by June 10 to a list of 25 questions, including whether federal law allows such surveillance.

On Friday, EPA officials in the agency's Region 7 office in Kansas City provided written responses to questions emailed earlier in the week by The World-Herald.

"Courts, including the Supreme Court, have found similar types of flights to be legal (for example to take aerial photographs of a chemical manufacturing facility) and EPA would use such flights in appropriate instances to protect people and the environment from violations of the Clean Water Act," the agency said in response to a question about legality.

Sen. Mike Johanns, R-Neb., a former U.S. agriculture secretary, said Friday he remains highly doubtful the agency has congressional authority to act as an eye in the sky.

"They are just way on the outer limits of any authority they've been granted," he said.

Nebraska's two senators and three representatives signed the letter at the urging of livestock producers who consider the flyovers an invasion of privacy and heavy-handed government intimidation.

The producers also worry that a greater EPA presence in the state will lead to more costly manure-control modifications on their farms, dairies and feedlots, said Chuck Folken, owner of a 7,500-head cattle feed yard near Leigh and former president of the Nebraska Cattlemen. Folken said he and many other producers find it easier to work with the Nebraska Department of Environmental Quality than with federal environmental enforcers.

"The state comes out and inspects us and watches us," he said. "They (EPA officials) are overstepping what the state is doing and I think it's unnecessary."

The flyovers are no more welcomed by livestock producers in Iowa, said Dal Grooms, spokeswoman for the Iowa Cattlemen's Association in Ames. The most common complaint she hears involves producers who have to spend money meeting one set of state regulations only to have the feds come in with a different set.

"We all want clean water," she said, "but if you fine us these exorbitant amounts, suddenly you're putting people out of business."

Livestock producers and their elected representatives also say they object to the EPA keeping the flyover program quiet until recent months. Johanns said the letter from the delegation is largely an effort to learn more about the program.

The EPA declined The World-Herald's request to interview a staff member knowledgeable about the flyover program. Instead, the agency provided written responses, parts of which are summarized below:

Surveillance flights began in 2010 in Iowa and 2011 in Nebraska. The EPA has conducted seven flights in Iowa and nine in Nebraska.

Though aerial surveillance is used by the agency in other parts of the country, the EPA has not flown over livestock operations in Kansas or Missouri, the two other states in Region 7.

It has focused on Iowa and Nebraska because those states have a greater number of what are called concentrated livestock feeding operations situated in watersheds with histories of contamination.

The planes usually maintain altitudes of 1,200 to 1,500 feet. The EPA alerts state environmental agencies before it takes to the air, but does not notify livestock owners.

Photos taken during a flight are evaluated to see if it appears livestock waste is being discharged into streams, ponds or lakes. The agency is looking for runoff of livestock waste, a potential violation of the federal Clean Water Act.

The EPA does not levy fines or take other enforcement actions against a livestock producer based solely on photos, the agency said. If the photos indicate potential problems, an inspection is done at the site to determine if violations have occurred.

"The flights have identified potential problems, and in some cases, serious contamination, that were subsequently investigated through on-site inspections," the agency wrote.

So far more than 90 percent of the operations viewed by air have been in compliance. By eliminating the need for on-site inspections at these operations, the flyovers have saved money.

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News Headline: With Bristol Bay assessment, EPA does disservice to Alaska |

Outlet Full Name: Anchorage Daily News - Online

News Text: The EPA's recently released Bristol Bay Watershed Assessment is disappointing in its lack of conclusive science. Trout Unlimited touts the "time and depth of knowledge" put into the report. But the EPA had neither the time nor the money for the thorough research normally undertaken for an assessment of this magnitude. Previous watershed assessments conducted by the EPA for smaller areas have taken five to 10 years to complete. Instead, they rushed ahead to appease vocal opposition groups.

The EPA spent barely a year on the report, which covered an area the size of West Virginia. Though hundreds of pages long, it is little more than a collection of "hypothetical scenarios." In contrast, the environmental studies undertaken by the Pebble Partnership took many years and resulted in more than 27,000 pages of scientific findings.

The EPA is doing a disservice to Alaskans by assessing this project based on hypothetical scenarios. Pebble should be afforded the same opportunity as every other project without premature interference from overreaching federal agencies.

-- Jack Grieco

News Headline: COAL: GOP blasts EPA for pursuing W.Va. mine veto |

Outlet Full Name: Greenwire

News Text: Republican lawmakers and industry leaders today presented a grim view of the future of American business because U.S. EPA decided to retroactively veto a large mountaintop removal mining project in West Virginia.

They celebrated when U.S. District Judge Amy Berman Jackson struck down EPA's action earlier this year. Now they want EPA to back away from pursuing an appeal (Greenwire, May 14).

"This saga is one of the most disappointing legacies of federal bureaucracies in American history," Rep. Doug Lamborn (R-Colo.) said during a hearing today of the House Natural Resources Subcommittee on Energy and Mineral Resources. "The Obama administration is committed to a war on coal and is appealing this strong decision."

Agency critics speak in near-apocalyptic terms about the future if EPA were allowed to retroactively veto certain Clean Water Act permits. While administration attorneys say EPA acted within its rights, industry representatives argue that the agency's veto power is more limited.

"Decisions like these look more like Hugo Chavez than George Washington," said Karen Harbert, CEO of the 21st Century Energy Institute at the U.S. Chamber of Commerce.

She said allowing the decision to stand means that "hundreds of projects and businesses in America today could question whether they too might retroactively have their lawful permits revoked or recaptured."

The panel's GOP leaders also blasted administration officials, particularly those representing EPA and the Army Corps of Engineers, for declining invitations to appear at the hearing (E&E Daily, June 1).

"Unfortunately, the Obama administration officials invited to testify refused the invitation and refused to send anyone else in their place," said Natural Resources Chairman Doc Hastings (R-Wash.).

Subcommittee ranking member Rush Holt (D-N.J.) called the criticism of the administration's absence political theater. "Mr. Chairman, you knew days ago that they were not coming," he said.

West Virginia resident and environmental activist Maria Gunnoe stepped in to defend EPA's veto. She talked about new scientific studies showing the potential dangers of mountaintop removal mining.

Gunnoe said the practice was depleting communities and "killing people." And the Spruce mine, she said, would harm waterways like Pigeon Roost Creek.

"My hope is that you listen and hear the pleas for our lives in southern Appalachia," she said. "To me and the people of Blair, this

stream is a part of our home."

While Republican members on the panel chafed at the Obama administration's lack of support for coal, Democrats pointed at market conditions and the industry's failure to innovate as causes of current troubles.

"The reality is that the threat to coal use right now in today's economy is not coming from the administration. It's coming from the market," Holt said. "Utilities are increasingly looking to natural gas and renewables to produce electricity."

West Virginia state Sen. Art Kirkendoll (D), who represents coal-rich Logan County, touted the need for mining jobs and tax revenue for things like education.

"Some of you may believe this is just a regulatory matter, but it is not," he said. "It is about real people and the impact these decisions by EPA and others like them are having on families and their communities in Logan County, my home, my state and across the nation."

Business leaders said the issue was not about coal or the merits of mountaintop mining.

"This case is about the rule of law and regulatory certainty and the type of regulatory regime that the law allows for and that we wish to have in the United States," Harbert said.

For Gunnoe, it's a life-and-death issue. "You should ask yourself," she said, "are we knowingly and willingly flipping our lights and lining our pockets at the expense of the lives, livelihoods and the health of the people of Appalachia?"

"Coal is not our king, God is," she said. "Coal is only the dictator of some."

News Headline: COAL: Musical chairs for witnesses in House hearing on mountaintop permitting |

Outlet Full Name: Environment & Energy Daily

News Text: This story was updated at 12:15 p.m. EDT.

Several Obama administration officials have declined to appear today at a House Energy and Mineral Resources Subcommittee hearing on Appalachian coal-mining permits.

Subcommittee leaders say they had asked to question U.S. EPA Administrator Lisa Jackson, Office of Surface Mining Director Joseph Pizarchik and a top Army Corps of Engineers official about EPA's 2011 retroactive veto of Arch Coal Inc.'s Spruce No. 1 mine in West Virginia.

But the administration has whittled away the witness list.

EPA spokesman Brendan Gilfillan said Jackson had never agreed to testify and her schedule would not allow it on short notice. EPA has declined to provide further comment.

And while Republicans would also like to question Pizarchik, OSM emphasized he is not involved in the Spruce-permit issue.

"The Office of Surface Mining Reclamation and Enforcement had no role in the issuance or subsequent revocation of a permit to [Arch Subsidiary] Mingo Logan Coal Company Inc. pursuant to section 404 of the Clean Water Act," OSM communications chief Peter Mali wrote panel staffers.

"There is absolutely no nexus between OSM and the revocation of the permit for the proposed Spruce No. 1 Mine, in other words," he wrote.

Lt. Gen. Thomas Bostick, the Army Corps' commanding general and chief of engineers, was listed as an invited witness in a news

release last month. But a corps spokesman said agency officials were not invited. Committee staffers said they were.

Even though the Army Corps issued the dredge-and-fill permit for the Spruce mine in 2007, it was EPA that vetoed parts of it. And critics have been highlighting any fissures between the two agencies.

"Considering the magnitude of the Obama Administration's reckless and irresponsible decision to revoke an already issued coal permit, it's extremely disappointing yet not totally surprising that none of the Administration officials invited to testify want to defend or explain their job-destroying action," Natural Resources Committee spokesman Spencer Pederson said in a statement.

Pederson said Jo-Ellen Darcy, the Army's assistant secretary for civil works and who oversees the Army Corps, turned down the chance to appear before lawmakers. The subcommittee's latest lineup of "invited witnesses" still lists Darcy, Pizarchik and Jackson.

An aide wrote to the panel, "Ms. Jo-Ellen Darcy is not available to testify at [the] Subcommittee on Energy and Mineral Resources oversight hearing."

Other witnesses include Karen Harbert, an energy leader with the U.S. Chamber of Commerce. The chamber has expressed misgivings about EPA's veto, saying that it sets a dangerous precedent for numerous other industries requiring similar approvals.

The hearing's title is "Obama Administration's Actions Against the Spruce Coal Mine: Canceled Permits, Lawsuits and Lost Jobs." Maria Gunnoe, a West Virginia resident and foe of mountaintop-removal mining, is appearing in defense of the Spruce veto and EPA actions.

"The title of this hearing shows that many committee members already have their minds made up and aren't going to listen to community members' perspective on the destruction mountaintop removal causes to our health and our communities," Gunnoe said in a statement. "But, I will go to speak our truth."

Schedule: The hearing is 10 a.m. today in 1324 Longworth.

Witnesses: West Virginia state Sen. Art Kirkendoll; Karen Harbert, Institute for 21st Century Energy CEO at the U.S. Chamber of Commerce; Ross Eisenberg, National Association of Manufacturers energy and resources policy vice president; and West Virginia environmental organizer Maria Gunnoe.

News Headline: COAL: Week of mountaintop-removal rallies, lobbying blitz starts

tomorrow |

Outlet Full Name: Greenwire

News Text: Combatants on both sides of the fight over mountaintop-removal coal mining are set to begin a week of rallies and lobbying over pending congressional legislation and Obama administration regulatory proposals.

The Alliance for Appalachia, an environmental coalition, kicks off its seventh annual "End Mountaintop Removal Week" tomorrow with plans for Washington, D.C., meetings and a Capitol Hill rally Wednesday.

About 150 people are expected to participate in the alliance push. "We really want to put their feet to the fire," coordinator Dana Kuhnline said of lawmakers.

There is one bill -- New Jersey Democrat Frank Pallone's House measure, H.R. 1375 -- that would limit mountaintop-removal coal extraction. It has little to no chance of passage this year. But mountaintop-removal foes say they have helped stave off proposals that they say would weaken environmental protections.

"Even if there isn't a realistic chance of passing a bill in this Congress ... you have to look at the flip side," said Matt Wasson, program director for Appalachian Voices, an alliance member. The flip side, he explained, is providing political cover for the administration, which has cracked down on mining projects over pollution concerns.

The mining practice at issue involves the dynamiting of mountaintops to expose coal seams and the dumping of waste rock and soil into adjacent valleys and waterways.

Environmentalists blame the practice for extensive pollution and health problems in Appalachia. The industry disputes the claims and calls mountaintop removal an efficient method of extracting coal.

Earthjustice is collecting photo petitions against the practice, hoping to deliver them to the Obama administration in September. Its Mountain Heroes website and campaign features actors Edward Norton and Woody Harrelson. It also includes comments from Appalachian residents and activists like Goldman Prize winner Maria Gunnoe.

As environmentalists arrive in Washington tomorrow, Virginia politicians -- including Gov. Bob McDonnell (R) and former Gov. and Sen. George Allen (R) -- are headlining a pro-coal rally in their state's coal-rich southwestern corner.

"We want to make sure President Obama and his EPA administrator Lisa Jackson know that people here in Appalachia are sick and tired of being persecuted by his administration," Rep. Morgan Griffith (R-Va.) said in a statement about the event.

Environmentalists say coal jobs in Virginia have increased 18 percent since 2009, after President Obama took office. The number is part of an ongoing debate about the employment impacts of regulations, including recent declines because of tough market conditions (Greenwire, May 25).

In Kentucky, coal boosters and environmentalists are urging supporters to attend EPA public hearings next week (Greenwire, April 17). Dozens of coal mine permits are stalled amid agency objections.

"We encourage everyone to sign up in advance to speak," the Kentucky and West Virginia coal associations said on their websites. "It's imperative that we show our support for an industry that has done so much for Kentucky."

News Headline: OIL AND GAS: Wyo. town haunted by contamination reports considers cisterns for clean water |

Outlet Full Name: EnergyWire

News Text: Wyoming officials and residents are pausing their scuffle over the source of a small community's reported water contamination to instead focus on a remedy.

The people just outside Pavillion -- in the spotlight last year for a U.S. EPA draft study that linked hydraulic fracturing with groundwater pollution in the area -- are considering using cisterns to provide clean water for their households.

During a meeting last night at the local high school, a handful of public officials fielded questions from more than 50 community members concerned about cost and maintenance of the cisterns, large tanks that would be installed underground to hold 3,500 to 4,000 gallons of water.

"They just didn't seem to be real prepared to give answers that were consistent," John Fenton, chairman of the Pavillion Area Concerned Citizens, told EnergyWire after the meeting. "A lot of people left with as many questions as they came with."

The Wyoming Legislature has already approved \$750,000 for the state to install the water tanks for roughly 20 households around the gas field that has been blamed for contamination. Residents who opt for the cisterns would be responsible for the cost of trucking in water from inside Pavillion or nearby Riverton. Wyoming Water Development Commission Director Mike Purcell has estimated that cost to be \$100 to \$200 a month per household, but residents have guessed that it could cost as much as \$500.

Fenton, who runs a ranch, said he is undecided on whether his family will agree to a cistern but that he is leaning against it.

"There's still too many unanswered questions," he said. "I'm kind of skeptical about it."

Currently, Encana Corp., the area's main driller, provides regular refills of 5-gallon water jugs for families around the gas field.

Deb Thomas, a member of the Pavillion citizens group, said she was also concerned about cost and that the cisterns would only address the problems with drinking water for households, while water for livestock would not be remediated.

Small solution part of larger tangle

In a 2011 report studying water supply options, the commission ranked cisterns as the best long-term alternative, due to reliability, cost and EPA compliance. The report makes a point of separating the water supply decision process from the fiery contamination dispute.

"The charge of this investigation is not to determine reasons for the area's groundwater quality concerns, but rather, to give the rural Pavillion residents workable alternatives for a drinking water supply that they might find more palatable," it says.

The cistern solution is the latest development in a water quality saga that has been churning in Wyoming for years and hit the national stage last December when EPA released a draft study linking groundwater contamination to hydraulic fracturing in the area.

Critics of the oil and gas industry jumped on the study as evidence that fracking -- increasingly used by drillers to access shale gas -- puts drinking water at risk. But the study only linked fracking to pollutants in deep groundwater, not the shallow wells where Pavillion residents get their drinking water (Greenwire, Jan. 23).

Fenton and others remain skeptical about fracking's safety.

"You're talking about wells that were not properly constructed to begin with," said Fenton. "You take existing problems and you fracture them, and I think it served to make it worse."

Correction: An earlier version of this story incorrectly stated what group distributes water to families around the gas field.

News Headline: POLITICS: Texas judge who touted role in Range gas pollution case

loses primary |

Outlet Full Name: EnergyWire

News Text: A judge in Parker County, Texas, who said in campaign literature that he had forced U.S. EPA to back down in a pending environmental case lost his Republican primary battle this week.

Now, 43rd District Judge Trey Loftin could be removed from the case on natural gas drilling.

Steven and Shyla Lipsky, the husband and wife who sued Range Resources Corp. over accusations that it polluted two water wells near their Texas home, filed a court motion Tuesday to disqualify or recuse Loftin, saying the judge released campaign literature boasting "rulings he had made against the Lipskys."

The couple says Loftin thought the outcome of the case would affect his re-election and "thus, the campaign mailers show that Judge Loftin believes that he had a direct financial and personal interest in the outcome of the proceeding, which requires his disqualification."

Loftin, who was running to reclaim his Parker County judgeship, lost Tuesday to Weatherford attorney Craig Towson, who previously said a judge should not "ever comment about a case pending in his court."

On Wednesday, Loftin said he could not comment on pending cases before him, including the Lipsky motion, although he added that recusals are common and that he has stepped down from cases before in light of ethical conflicts.

"I don't know what's going to happen in the Lipsky case," he said. "I won't be the judge to see it to completion anyway."

Loftin said he lost because of the "firestorm, politically generated," that arose during the final days of the campaign. He said the Lipsky case, in which Loftin has ruled in favor of Range Resources several times, could have contributed to his loss (EnergyWire, May 21).

A campaign spokesman has said Loftin's fliers -- one of which said, "Obama's EPA backed down only after Judge Trey Loftin ruled that the evidence was 'deceptive'" -- were appropriate.

Steven Lipsky said Wednesday that Loftin should be removed from the case because his campaign "showed he was biased." Lipsky added that he was unsure how the results of the judicial election would affect him.

"I think it's great for the next person, but I don't know how it's going to help my case," he said. "At least maybe [the next person] can have a fair shake. I definitely don't feel like I got a fair shake."

There was no Democratic candidate in Tuesday's primary. Loftin said he plans to serve his full term.

If the judge is removed from the Lipsky case, his decisions will stand during its appeal (Darren Barbee, Fort Worth Star-Telegram, May 30). -- PK

News Headline: Star Watch: How clean are Indiana's waterways? |

Outlet Full Name: Indianapolis Star - Online, The

News Text: About a mile south of Lucas Oil Stadium in Downtown Indianapolis, Tony Chao stood fishing one recent morning on the bank of the White River.

A few feet behind his back, a sign warned not to wade into the water. Too much raw sewage in there. A sign to his left warned "not all fish are safe to eat." Some have too many toxins in their meat.

When asked whether he actually eats what he catches, Chao, 55, gave a look that might best be described as "are you serious?"

Chao's three fishing rods were propped up next to a pile of someone else's discarded beer cans, sport-drink bottles and soggy carpet pieces.

Beyond the trash, across the river, a white cloud puffed up from a smokestack.

"I don't think people eat the fish here," Chao said.

And for good reason.

This stretch of the White River -- like so many other Hoosier waterways -- contains species of fish that have tested positive for mercury and other pollutants called PCBs, synthetic chemicals so toxic federal officials banned them more than three decades ago.

That there are concerns about the water quality of Indiana's rivers, lakes and streams is not new. But environmentalists are increasingly worried the state has become passive about the problem, even as Indiana's regulators and industry officials say they've made significant progress monitoring and reducing the toxins in Hoosier waterways.

In a draft report about to be submitted to the U.S. Environmental Protection Agency, state environmental management officials say there are nearly 1,000 stretches of Indiana streams, rivers and lakes where fish have PCBs and mercury in their bodies.

But while other states have created action plans specifically geared toward reducing the contaminants in fish, Indiana hasn't.

And that concerns environmentalists who say state officials, prompted by a long-standing reluctance to regulate industrial polluters -- particularly the coal-fired power plants that dump more than 4,000 pounds of mercury into the environment in a single year -- are

putting the public at risk.

At the heart of current debate is the Indiana Department of Environmental Management's handling of mercury and PCB contamination in a biennial water pollution report soon to be submitted to the EPA.

In the report, state water quality regulators list mercury and PCB fish-tissue contamination as a leading cause of lake and stream impairment, second only to fecal bacteria contamination.

Nevertheless, IDEM placed waterways with mercury and PCB-contaminated fish on a separate, less-urgent action list.

Environmentalists say the decision, in effect, allows the state to delay dealing with toxic fish.

Unacceptable, says Bowden Quinn, conservation program coordinator for the Sierra Club's Hoosier chapter.

He called it part of a longstanding pattern of inaction among state environmental regulators, who would rather grouse about federal agencies' lack of funding and guidance instead of actually doing something to get toxins out of the state's waterways.

For mercury at least, he said, that means forcing one industry to curb how much gets dumped into the environment.

"We know what the problem is," Quinn said. "It's coal."

According to the EPA, coal-burning power plants are the largest human-caused source of mercury in the U.S., accounting for more than 50 percent of all the nation's airborne mercury emissions.

In Indiana, coal power plants released more than 4,000 pounds of the element into the environment in 2010, the last year numbers were compiled by IDEM. Industrial boilers, foundries and incinerators accounted for 1,000 more pounds that year.

In 2008, Indiana was the seventh-largest source of mercury pollution in the country, according to the EPA's most recent figures.

The source of PCB pollution is less easy to pinpoint.

PCBs, which were domestically manufactured to be used in things such as electrical transformers, plastics and floor finishes, were banned in 1979 after scientists linked them to a host of human health problems, including cancer.

PCBs seep into the water supply through such things as leaky transformers, old industrial centers and poorly maintained dump sites. Slow to break down, they linger in the environment for decades.

Mercury and PCBs have at least one thing in common: They wash into waterways and are absorbed by micro-organisms at a bottom of a waterway's food chain.

Those organisms are eventually eaten by fish -- and the anglers who catch them.

Small levels of mercury and PCBs build up over time in the bodies of animals and people. The body never flushes them out.

They're particularly worrisome for pregnant women and young children because the toxins damage developing brains and bodies.

The problem is so widespread the Indiana State Department of Health has devoted an entire section of its website to giving anglers guidance about which waterways have contaminated fish and how much they should eat out of each one.

Falon French, outreach associate and policy researcher for the Hoosier Environmental Council, said the problem is that not everyone reads the state's fish-consumption warning signs.

"We hear from a lot of people who fish in the waterways and don't listen to the advisory," she said.

Even so, instilling "fear in people where it isn't warranted" is a bad idea, said Jody Arthur, integrated report coordinator for IDEM's Watershed Assessment and Planning Branch, because eating the occasional fish or taking a weekend swim is largely a safe activity in Indiana's lakes and rivers.

State officials say they aren't ignoring the toxins, nor being soft on industries that pollute. They just haven't found a reduction plan

that is workable for them. They also say the EPA hasn't yet provided enough guidance and money.

IDEM officials say they've also made significant progress over the years in reducing mercury emissions. A decade ago, the state's polluters were releasing more than 10,000 pounds of mercury, twice the current numbers. And the amounts are expected to drop further by the time new EPA air-quality rules take effect.

A trade group president representing investor-owned electric utilities said the EPA also has recently introduced emission standards that will force companies to put smokestack scrubbers on most of Indiana's coal-burning power plants by 2016. And many small or older power stations will be retired because of the costly upgrades.

"Work's being done," said Stan Pinegar, president of the Indiana Energy Association. "It's not like neither the utilities or IDEM are sitting on their heels here."

The way the contaminants are listed in the EPA report, state officials say, also means Indiana will have to eventually come up with a pollution-reduction plan -- just not right now.

Mercury finds its way into water from outside sources, too -- power plants and other polluters across the globe, said Bruno Pigott, IDEM's assistant commissioner of water quality. He said more study is needed to determine the sources and what needs to be done.

"It's not a cheap process, and we want it to be scientifically defensible," he said. "We care. We care about getting it right."

The surest way to remove mercury from the environment would be to ban coal-fired power plants outright and switch to cleaner burning fuels such as natural gas -- at a cost ratepayers likely wouldn't appreciate, said Thomas P. Simon, a former EPA aquatic biologist, now a professor at Indiana University's School of Public and Environmental Affairs.

Getting the remaining PCBs out of the state's waterways, Simon said, would similarly entail costly dredging, cleaning and "literally moving tons and tons of sediment."

"IDEM gets hammered a lot," Simon said. "Sometimes it's justified. But, overall, I think IDEM has done a good job, given the resources, given the manpower, given the constraints."

But leaders in other states have devoted cash and manpower to draft plans geared toward reducing PCBs and mercury in their fish.

A coalition of New England states, as well as Minnesota and New Jersey, already have developed mercury-reduction plans, which set emission standards and timelines for polluters to get their mercury output down, said Peter Cassell, the EPA's Midwest water-quality spokesman.

A number of states, including a coalition along the Delaware River on the East Coast, also have developed similar PCB-reduction plans that put controls on industry wastewater runoff and airborne chemical releases.

Rebecca Walter, mercury program coordinator for the Minnesota Pollution Control Agency, said her state's reason for coming up with a mercury reduction plan was simple enough: In a tourism-dependent state that touts itself as the "Land of 10,000 lakes," it didn't look good that 820 of them had health advisories warning of mercury-contaminated fish.

As such, she said, Minnesota's coal plants, mines and other industrial facilities were ordered to reduce their mercury output from more than 3,000 pounds in 2005 to 789 pounds by 2025. That's a reduction of nearly 75 percent.

Without a specific pollution plan, Indiana's goals are a lot less lofty.

IDEM officials say the state's mercury emissions are expected to see a 14 percent decrease by 2018, leaving Indiana with 4,300 pounds of the toxic element still emitted into the state's air and water each year.

Even though the EPA gives states leeway to prioritize which contaminants to target, Walter says, it's widely expected the federal government will soon begin forcing states to come up with plans similar to Minnesota's.

"I think the delaying isn't going to help," she said.

Natalie Roy, executive director of the Washington, D.C.-based Clean Water Network, said Indiana is clearly trying to "punt" responsibility of cleaning up its waterways.

"That's pathetic," she said.

It's also an example, she said, of a lack of uniform federal standards that would force states to do more to clean their troubled waters.

Roy said even if states do come up with pollution plans, lack of funding and political will means they can languish on shelves for decades.

Because each state is allowed to do things differently, it also makes it difficult to determine which ones are actually making progress -- or to compare Indiana with other states.

Roy didn't hold out a lot of hope for Indiana on that front, especially after learning Gov. Mitch Daniels once argued the EPA should be renamed the "Employment Prevention Agency."

"This is about water, for God's sake," she said.

French, of the Hoosier Environmental Council, said cleaning up Indiana's streams and lakes also would help the economy.

She said not only is it fundamental for Indiana residents to have clean streams and rivers because they're the source of the state's drinking water, fishing is a major part of the state's heritage and culture, something that helps drive the tourism industry and spur job growth.

Eating fish caught from local streams and lakes, she said, also could help poor Hoosiers when times get tough. Of course, the fish first need to be safe to eat.

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For him, fishing is for fun, not food. But for those who do want to eat fish, he offers some advice.

"Go to the store," he said. "It's safer."

News Headline: Star Watch: Water pollution figures can be apples and oranges |

Outlet Full Name: Indianapolis Star - Online, The

News Text: Just because a state increases the number of streams and lakes on a national list of polluted waterways it doesn't necessarily mean it's worse off.

It could just mean officials actually are looking for problems.

That's why scientists, environmentalists and state water quality officials caution against making too much of Indiana Department of Environmental Management officials proposing to add more than 4,000 miles of streams and rivers to a list of 12,000 miles of waterways that already didn't meet U.S. Clean Water Act standards.

Indiana's list of so-called waters "impaired" with contaminants also includes 73,076 surface acres of lakes.

Based on previous years' reports submitted to the U.S. Environmental Protection Agency, Indiana already had the fifth-most impaired waterways in the country behind Pennsylvania, Washington, Michigan and Florida.

But because each state is given leeway to test its waters differently -- and with varying degrees of enthusiasm -- it's nearly impossible to determine which states have the dirtiest waterways or whether they're improving or becoming worse.

Environmental groups called it one of their long-standing frustrations with the way federal officials enforce the nation's water quality laws.

"It's hard to compare," said Natalie Roy, executive director of the Washington, D.C.-based Clean Water Network. "It's deliberately designed that way."

While the Clean Water Act gives states flexibility in solving their individual water woes, critics say that also means state officials who don't want to find polluted waterways -- and pay to clean them up -- aren't required to look very hard.

It also means that states such as Indiana, where officials more aggressively test their waterways, appear more polluted than states that don't, said Thomas P. Simon, a former EPA aquatic biologist who now is a professor at Indiana University's School of Public and Environmental Affairs.

"It's not because we're worse," Simon said. "It's because we're actually monitoring."

IDEM officials say they recently began introducing more long-term tests of individual streams and lakes into their testing regime.

Still, just 63 percent of Indiana's rivers and streams have been tested for pollutants so far.

Of those, more than two-thirds contained some sort of impairment.

IDEM officials say they fully expect Indiana's list of impaired waterways to grow two years from now, when the state next has to submit an impairment report to the EPA.

"Simply put," said IDEM spokeswoman Amy Hartsock, "when you look in new places each year, you're going to identify new problems."

News Headline: UTILITIES: Industry praises EPA on cooling-water intake rule efforts |

Outlet Full Name: Greenwire

News Text: A major electric utility group cheered U.S. EPA's efforts to formulate new regulations governing cooling-water intakes at power plants, calling the efforts a step in the right direction.

EPA published a so-called Notice of Data Availability that Edison Electric Institute President Tom Kuhn said "incorporates new information EPA received in comments and during power plant site visits and seeks public comment on vital concerns to the utility industry."

"These issues must be fleshed out and appropriately addressed as the administration works toward finalizing a rule this summer that protects aquatic life in a flexible and cost-effective manner," Kuhn said in a news release.

EPA estimates the rule will require at least 650 power plants across the country to make significant modifications to their cooling-water intake structures, which can vacuum up and kill fish and other marine life.

EEL said the power sector is "united in its concerns regarding several elements of the agency's proposal that needlessly jeopardize the ability of many facilities -- including those with cooling towers and cooling ponds -- to achieve compliance."

News Headline: EPA raises water concerns in permitting for portion of Keystone pipeline

near Texas coast |

Outlet Full Name: Orlando Sentinel - Online
News Text: 6:55 p.m. EST, May 31, 2012

HOUSTON (AP) — A Canadian company seeking to build a pipeline to transport crude oil from Canada to Gulf Coast refineries has submitted a new application for the southern segment of the project that avoids sensitive wetlands in Texas.

TransCanada submitted its new application in April, after the U.S. Environmental Protection Agency raised concerns about the effect the original plan would have on wetlands along the Texas Gulf Coast and called for a more rigorous review process. Under the new plan, the company will drill under the wetlands rather than run across them, eliminating the need for EPA involvement, said Vicki Dixon, regulatory program manager for the southwestern division of the Army Corps of Engineers.

"The applicant is avoiding some of the impacts that were in the previous request," Dixon said. "At this point, from their initial review, the impacts have been reduced from what they had been in the previous proposal."

This permit is for the southern portion of a pipeline — the Gulf Coast Project — that will eventually meet up with the larger Keystone XL pipeline that will run from Alberta, Canada, to the Gulf Coast. The pipeline is primarily designed to transport crude oil from Canada's tar sands region to refineries in Texas. When it's complete, it will be able to move 1.4 million barrels of crude oil a day.

From the start, though, the project has attracted fierce opposition from environmental groups, and the larger plan was eventually rejected by President Barack Obama who asked TransCanada to reroute the northern portion to avoid sensitive areas of Nebraska. In the meantime, to relieve a bottleneck at a refinery in Cushing, Okla., Obama encouraged TransCanada to separately move ahead with the segment leading from the Midwest to the Gulf Coast.

TransCanada spokesman Terry Cunha said that is why the company withdrew the initial application that drew the EPA's ire. The decision to drill under the wetlands and in some cases move the pipeline a few feet "to protect a farm house or a grain bin" were done to meet the requirements of the Army Corps of Engineers.

TransCanada believes it will have its permits in place to begin constructing the southern portion of the pipeline this summer, Cunha said.

Dixon said the Corps has not yet approved the application, but added that it appears the changes that have been made mitigate many of the environmental concerns they initially had.

TransCanada has applied for a "nationwide" permit from the Corps. Under this permit process, there is no public comment period to specifically discuss or address a project. Instead, there is one public comment period to approve the conditions that need to be met to have a project awarded. And it is assumed, if the permit is approved, that the environment and waters are being protected.

This has left some landowners feeling they have no say in the process.

"As people who are mostly impacted by this and will bear the brunt of this, our voices have been silenced for us by the process, and it's one that we should have input in," said David Daniel, a Winnsboro, Texas, resident who will have the proposed pipeline run through his 20-acre property.

—

Associated Press writer Matthew Daly contributed to this report from Washington.

Ramit Plushnick-Masti can be followed on Twitter at <https://twitter.com/RamitMastiAP> .

reservoirs |

Outlet Full Name: NorthJersey.com

News Text: A regional public water utility contends it has no power to stop a costly project that will disturb, if not destroy, the scenic beauty of Garret Mountain while raising rates for its Bergen and Passaic county customers. But public utilities of New York City and Portland, Ore., have challenged the same federal mandate that's driving the North Jersey work and succeeded in delaying the projects or modifying them to reduce costs.

Officials who direct the Passaic Valley Water Commission say the utility is going forward with its plan to drain three Garret Mountain reservoirs and replace them with concrete tanks, even though the impetus of the project — a federal clean drinking water rule — might be modified or even rescinded by the time the project is well under way.

The PVWC — which serves customers in Garfield, Lodi, North Arlington, Paterson, Clifton and Passaic, among other towns — for years has maintained that it has no choice but to move ahead with a \$100 million plan to drain three reservoirs on Garret Mountain and replace them with concrete tanks because the project is mandated by the federal Environmental Protection Agency.

Extension granted

The project, which aims to protect treated drinking water at the Stanley Levine, New Street and Great Notch reservoirs from fecal contamination caused by birds and animals, was mandated by the EPA in a set of drinking-water regulations adopted in 2006. The EPA, concerned that fecal contamination would be harmful if swallowed, ordered all utilities that store treated drinking water in open-air reservoirs to either cover them or build new treatment plants.

New York City and Portland both attempted to overturn the EPA mandate in a lawsuit filed in 2007. Although the cities lost the case, the EPA has agreed to review a rule that is seen as unduly burdensome.

Last year, the EPA granted New York City an extension until 2028 to cover the Hillview Reservoir in Yonkers — a project estimated to cost \$1.6 billion. Mayor Michael Bloomberg has derided the federal mandate as a “one-size-fits-all” rule that would be a financial disaster for ratepayers.

Pressure brought by New York's elected officials also has prompted the head of the EPA, Lisa Jackson, to order the agency to review the rule, known as LT2.

In a letter to Sen. Charles Schumer, D-N.Y., last August, Jackson acknowledged that “different reservoirs around the country have different specific conditions” — and said the agency would “reassess and analyze new data” as part of the review.

“As we conduct our review we intend to consider innovative approaches for public water systems,” Jackson wrote.

News Headline: In Land of Gas Drilling, Battle for Water That Doesn't Reek or Fizz |

Outlet Full Name: New York Times - Online, The

News Text: For the last few years, a small group of farmers and landowners scattered across this rural Wyoming basin have complained that their water wells have been contaminated with chemicals from a controversial drilling technique known as hydraulic fracturing, or fracking.

A draft report by the Environmental Protection Agency, issued in December, appeared to confirm their concerns, linking chemicals in local groundwater to gas drilling.

But here on the front lines of the battle over fracking, which has become an increasingly popular technique to extract previously unobtainable reserves of oil and gas, no conclusion is yet definitive.

After an outcry from Wyoming's governor, Matt Mead, and the energy industry that the federal report was premature and

inconclusive, more testing was conducted by the United States Geological Survey and is being processed. The E.P.A. is also in the midst of collecting additional water samples for study.

In the meantime, the state has offered to provide cisterns for local residents, using \$750,000 allocated by the Wyoming Legislature this year. Under the plan, people here would still have to pay a fee to have their water hauled from the nearby community of Pavillion, at a cost that could run more than \$150 per month.

"I'd like to have the industry held accountable for once," said Jeff Locker, a hay and barley farmer who said that his well water had gone bad around the mid-'90s and that the contaminants had contributed to his wife's neuropathy. "We've got scientific proof. And they're still turning their back on us. They expect us to pay between \$100 and \$200 for something we didn't cause. It gets under my skin."

Encana Oil and Gas (U.S.A.) Inc., which bought the Pavillion gas field in 2004 and operates about 125 gas wells in the area, is already providing jugs of drinking water for Mr. Locker and 20 other households. It is unclear whether Encana will defray any of the cost of the cistern water.

"Until there is a peer-reviewed study and a good scientific basis that indicates that the issues related to water are related to our operations, that is not something we are ready to address," said Doug Hock, an Encana spokesman.

Encana has maintained that water in the area is naturally poor and that its operations did not cause the problems — fracking had also occurred before the company purchased the gas field. Moreover, the energy industry has steadfastly pointed out that there has never been any conclusive link between fracking and water contamination.

Mr. Hock said it should have come as no surprise that the E.P.A.'s two monitoring wells showed high levels of methane and benzene because they were drilled deep into a natural gas field.

But some locals say the draft report's analysis of water samples, which identified synthetic chemicals consistent with natural gas drilling and hydraulic fracturing fluids, is proof of what they suspected for years.

"These are people that had good water," said John Fenton, a barrel-chested farmer and chairman of the Pavillion Area Concerned Citizens group. "And it changed when there was this rush to come in here and develop the area when they didn't understand the geology."

Mr. Fenton said he thought he had dodged a bullet until about three years ago, when his tap water began occasionally fizzing and smelling like petroleum. And even though Encana is giving him drinking water, Mr. Fenton said he and his family still bathe in dirty water.

Renny MacKay, a spokesman for Mr. Mead, said the governor was committed to figuring out a long-term fix for about 20 homes whose water was found to contain contaminants while the source of the pollution is studied.

"The governor believes let's get more data points, let's do more science on this that is peer reviewed and whatever the conclusion, you go from there," he said.

At a meeting at the town high school on Thursday night, state environmental and water officials explained how the cisterns would work to about 50 people in attendance.

Some worried about their property values being deflated because of the attention the water contamination had drawn.

"Most of the property out here is fine," said Jon Martin, a local landowner. "There's nothing wrong with it. This is a shallow gas field. When you pass 200 feet, you're liable to hit natural gas. This isn't a fracking problem."

Most residents seemed open to installing cisterns, peppering the officials with questions. How much would it cost? Was this the only option? And what of the additional water samples drawn by the United States Geological Survey, whose results will be released this fall, and the E.P.A.'s draft report and new data, which will be reviewed by an independent panel? For now, there were plenty of unknowns.

Louis Meeks, a landowner whose tap water reeks like diesel fuel, listened quietly. He said he had been trying to clean his water for years to no avail, and no longer lets his granddaughter wash her clothes or bathe in his home. Recently, Mr. Meeks printed business cards for anyone interested in his predicament. A glass of water is pictured prominently.

"Fresh, fizzy ... Fracked," the cards read.

News Headline: Is Indiana taking proper action against toxins in our waterways? |

Outlet Full Name: Indianapolis Star - Online, The

News Text: About a mile south of Lucas Oil Stadium in Downtown Indianapolis, Tony Chao stood fishing one recent morning on the bank of the White River.

A few feet behind his back, a sign warned not to wade into the water. Too much raw sewage in there. A sign to his left warned "not all fish are safe to eat." Some have too many toxins in their meat.

When asked whether he actually eats what he catches, Chao, 55, gave a look that might best be described as "are you serious?"

Chao's three fishing rods were propped up next to a pile of someone else's discarded beer cans, sport-drink bottles and soggy carpet pieces.

Beyond the trash, across the river, a white cloud puffed up from a smokestack.

"I don't think people eat the fish here," Chao said.

And for good reason.

Map of Indiana's impaired waters

Indiana State Department of Health's fish advisory

EPA's mercury and air toxics standards

This stretch of the White River — like so many other Hoosier waterways — contains species of fish that have tested positive for mercury and other pollutants called PCBs, synthetic chemicals so toxic federal officials banned them more than three decades ago.

That there are concerns about the water quality of Indiana's rivers, lakes and streams is not new. But environmentalists are increasingly worried the state has become passive about the problem, even as Indiana's regulators and industry officials say they've made significant progress monitoring and reducing the toxins in Hoosier waterways.

In a draft report about to be submitted to the U.S. Environmental Protection Agency, state environmental management officials say there are nearly 1,000 stretches of Indiana streams, rivers and lakes where fish have PCBs and mercury in their bodies.

But while other states have created action plans specifically geared toward reducing the contaminants in fish, Indiana hasn't.

And that concerns environmentalists who say state officials, prompted by a long-standing reluctance to regulate industrial polluters — particularly the coal-fired power plants that dump more than 4,000 pounds of mercury into the environment in a single year — are putting the public at risk.

"We know what the problem is"

At the heart of current debate is the Indiana Department of Environmental Management's handling of mercury and PCB contamination in a biennial water pollution report soon to be submitted to the EPA.

In the report, state water quality regulators list mercury and PCB fish-tissue contamination as a leading cause of lake and stream impairment, second only to fecal bacteria contamination.

Nevertheless, IDEM placed waterways with mercury and PCB-contaminated fish on a separate, less-urgent action list.

Environmentalists say the decision, in effect, allows the state to delay dealing with toxic fish.

Unacceptable, says Bowden Quinn, conservation program coordinator for the Sierra Club's Hoosier chapter.

He called it part of a longstanding pattern of inaction among state environmental regulators, who would rather grouse about federal agencies' lack of funding and guidance instead of actually doing something to get toxins out of the state's waterways.

For mercury at least, he said, that means forcing one industry to curb how much gets dumped into the environment.

"We know what the problem is," Quinn said. "It's coal."

According to the EPA, coal-burning power plants are the largest human-caused source of mercury in the U.S., accounting for more than 50 percent of all the nation's airborne mercury emissions.

In Indiana, coal power plants released more than 4,000 pounds of the element into the environment in 2010, the last year numbers were compiled by IDEM. Industrial boilers, foundries and incinerators accounted for 1,000 more pounds that year.

In 2008, Indiana was the seventh-largest source of mercury pollution in the country, according to the EPA's most recent figures.

Advisories issued

The source of PCB pollution is less easy to pinpoint.

PCBs, which were domestically manufactured to be used in things such as electrical transformers, plastics and floor finishes, were banned in 1979 after scientists linked them to a host of human health problems, including cancer.

PCBs seep into the water supply through such things as leaky transformers, old industrial centers and poorly maintained dump sites. Slow to break down, they linger in the environment for decades.

Mercury and PCBs have at least one thing in common: They wash into waterways and are absorbed by micro-organisms at a bottom of a waterway's food chain.

Those organisms are eventually eaten by fish — and the anglers who catch them.

Small levels of mercury and PCBs build up over time in the bodies of animals and people. The body never flushes them out.

They're particularly worrisome for pregnant women and young children because the toxins damage developing brains and bodies.

The problem is so widespread the Indiana State Department of Health has devoted an entire section of its website to giving anglers guidance about which waterways have contaminated fish and how much they should eat out of each one.

Falon French, outreach associate and policy researcher for the Hoosier Environmental Council, said the problem is that not everyone reads the state's fish-consumption warning signs.

"We hear from a lot of people who fish in the waterways and don't listen to the advisory," she said.

Even so, instilling "fear in people where it isn't warranted" is a bad idea, said Jody Arthur, integrated report coordinator for IDEM's Watershed Assessment and Planning Branch, because eating the occasional fish or taking a weekend swim is largely a safe activity in Indiana's lakes and rivers.

"Work's being done"

State officials say they aren't ignoring the toxins, nor being soft on industries that pollute. They just haven't found a reduction plan that is workable for them. They also say the EPA hasn't yet provided enough guidance and money.

IDEM officials say they've also made significant progress over the years in reducing mercury emissions. A decade ago, the state's polluters were releasing more than 10,000 pounds of mercury, twice the current numbers. And the amounts are expected to drop further by the time new EPA air-quality rules take effect.

A trade group president representing investor-owned electric utilities said the EPA also has recently introduced emission standards that will force companies to put smokestack scrubbers on most of Indiana's coal-burning power plants by 2016. And many small or older power stations will be retired because of the costly upgrades.

"Work's being done," said Stan Pinegar, president of the Indiana Energy Association. "It's not like neither the utilities or IDEM are sitting on their heels here."

The way the contaminants are listed in the EPA report, state officials say, also means Indiana will have to eventually come up with a pollution-reduction plan — just not right now.

Mercury finds its way into water from outside sources, too — power plants and other polluters across the globe, said Bruno Pigott, IDEM's assistant commissioner of water quality. He said more study is needed to determine the sources and what needs to be done.

"It's not a cheap process, and we want it to be scientifically defensible," he said. "We care. We care about getting it right."

The surest way to remove mercury from the environment would be to ban coal-fired power plants outright and switch to cleaner burning fuels such as natural gas — at a cost ratepayers likely wouldn't appreciate, said Thomas P. Simon, a former EPA aquatic biologist, now a professor at Indiana University's School of Public and Environmental Affairs.

Getting the remaining PCBs out of the state's waterways, Simon said, would similarly entail costly dredging, cleaning and "literally moving tons and tons of sediment."

"IDEM gets hammered a lot," Simon said. "Sometimes it's justified. But, overall, I think IDEM has done a good job, given the resources, given the manpower, given the constraints."

IDEM and other states

But leaders in other states have devoted cash and manpower to draft plans geared toward reducing PCBs and mercury in their fish.

A coalition of New England states, as well as Minnesota and New Jersey, already have developed mercury-reduction plans, which set emission standards and timelines for polluters to get their mercury output down, said Peter Cassell, the EPA's Midwest water-quality spokesman.

A number of states, including a coalition along the Delaware River on the East Coast, also have developed similar PCB-reduction plans that put controls on industry wastewater runoff and airborne chemical releases.

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An unsafe food source

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responsibility of cleaning up its waterways.

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IDEM officials say they recently began introducing more long-term tests of individual streams and lakes into their testing regime.

Still, just 63 percent of Indiana's rivers and streams have been tested for pollutants so far.

Of those, more than two-thirds contained some sort of impairment.

IDEM officials say they fully expect Indiana's list of impaired waterways to grow two years from now, when the state next has to submit an impairment report to the EPA.

"Simply put," said IDEM spokeswoman Amy Hartsock, "when you look in new places each year, you're going to identify new problems."

News Headline: UTILITIES: Industry praises EPA on cooling-water intake rule efforts |

Outlet Full Name: Greenwire

News Text: A major electric utility group cheered U.S. EPA's efforts to formulate new regulations governing cooling-water intakes at power plants, calling the efforts a step in the right direction.

EPA published a so-called Notice of Data Availability that Edison Electric Institute President Tom Kuhn said "incorporates new information EPA received in comments and during power plant site visits and seeks public comment on vital concerns to the utility industry."

"These issues must be fleshed out and appropriately addressed as the administration works toward finalizing a rule this summer that protects aquatic life in a flexible and cost-effective manner," Kuhn said in a news release.

EPA estimates the rule will require at least 650 power plants across the country to make significant modifications to their cooling-water intake structures, which can vacuum up and kill fish and other marine life.

EEl said the power sector is "united in its concerns regarding several elements of the agency's proposal that needlessly jeopardize the ability of many facilities -- including those with cooling towers and cooling ponds -- to achieve compliance."

News Headline: EPA raises water concerns in permitting for portion of Keystone pipeline near Texas coast |

Outlet Full Name: Orlando Sentinel - Online

News Text: 6:55 p.m. EST, May 31, 2012

HOUSTON (AP) — A Canadian company seeking to build a pipeline to transport crude oil from Canada to Gulf Coast refineries has submitted a new application for the southern segment of the project that avoids sensitive wetlands in Texas.

TransCanada submitted its new application in April, after the U.S. Environmental Protection Agency raised concerns about the effect the original plan would have on wetlands along the Texas Gulf Coast and called for a more rigorous review process. Under the new plan, the company will drill under the wetlands rather than run across them, eliminating the need for EPA involvement, said Vicki Dixon, regulatory program manager for the southwestern division of the Army Corps of Engineers.

"The applicant is avoiding some of the impacts that were in the previous request," Dixon said. "At this point, from their initial review, the impacts have been reduced from what they had been in the previous proposal."

This permit is for the southern portion of a pipeline — the Gulf Coast Project — that will eventually meet up with the larger Keystone XL pipeline that will run from Alberta, Canada, to the Gulf Coast. The pipeline is primarily designed to transport crude oil from Canada's tar sands region to refineries in Texas. When it's complete, it will be able to move 1.4 million barrels of crude oil a day.

From the start, though, the project has attracted fierce opposition from environmental groups, and the larger plan was eventually rejected by President Barack Obama who asked TransCanada to reroute the northern portion to avoid sensitive areas of Nebraska. In the meantime, to relieve a bottleneck at a refinery in Cushing, Okla., Obama encouraged TransCanada to separately move ahead with the segment leading from the Midwest to the Gulf Coast.

TransCanada spokesman Terry Cunha said that is why the company withdrew the initial application that drew the EPA's ire. The decision to drill under the wetlands and in some cases move the pipeline a few feet "to protect a farm house or a grain bin" were done to meet the requirements of the Army Corps of Engineers.

TransCanada believes it will have its permits in place to begin constructing the southern portion of the pipeline this summer, Cunha said.

Dixon said the Corps has not yet approved the application, but added that it appears the changes that have been made mitigate many of the environmental concerns they initially had.

TransCanada has applied for a "nationwide" permit from the Corps. Under this permit process, there is no public comment period to specifically discuss or address a project. Instead, there is one public comment period to approve the conditions that need to be met to have a project awarded. And it is assumed, if the permit is approved, that the environment and waters are being protected.

This has left some landowners feeling they have no say in the process.

"As people who are mostly impacted by this and will bear the brunt of this, our voices have been silenced for us by the process, and it's one that we should have input in," said David Daniel, a Winnsboro, Texas, resident who will have the proposed pipeline run through his 20-acre property.

—

Associated Press writer Matthew Daly contributed to this report from Washington.

Ramit Plushnick-Masti can be followed on Twitter at <https://twitter.com/RamitMastiAP>.

News Headline: EPA's policy review won't delay utility's plan to drain Garret Mountain reservoirs |

Outlet Full Name: NorthJersey.com

News Text: A regional public water utility contends it has no power to stop a costly project that will disturb, if not destroy, the scenic beauty of Garret Mountain while raising rates for its Bergen and Passaic county customers. But public utilities of New York City and Portland, Ore., have challenged the same federal mandate that's driving the North Jersey work and succeeded in delaying the projects or modifying them to reduce costs.

Officials who direct the Passaic Valley Water Commission say the utility is going forward with its plan to drain three Garret Mountain reservoirs and replace them with concrete tanks, even though the impetus of the project — a federal clean drinking water rule — might be modified or even rescinded by the time the project is well under way.

The PVWC — which serves customers in Garfield, Lodi, North Arlington, Paterson, Clifton and Passaic, among other towns — for years has maintained that it has no choice but to move ahead with a \$100 million plan to drain three reservoirs on Garret Mountain and replace them with concrete tanks because the project is mandated by the federal Environmental Protection Agency.

Extension granted

The project, which aims to protect treated drinking water at the Stanley Levine, New Street and Great Notch reservoirs from fecal contamination caused by birds and animals, was mandated by the EPA in a set of drinking-water regulations adopted in 2006. The EPA, concerned that fecal contamination would be harmful if swallowed, ordered all utilities that store treated drinking water in open-air reservoirs to either cover them or build new treatment plants.

New York City and Portland both attempted to overturn the EPA mandate in a lawsuit filed in 2007. Although the cities lost the case, the EPA has agreed to review a rule that is seen as unduly burdensome.

Last year, the EPA granted New York City an extension until 2028 to cover the Hillview Reservoir in Yonkers — a project estimated to cost \$1.6 billion. Mayor Michael Bloomberg has derided the federal mandate as a "one-size-fits-all" rule that would be a financial disaster for ratepayers.

Pressure brought by New York's elected officials also has prompted the head of the EPA, Lisa Jackson, to order the agency to review the rule, known as LT2.

In a letter to Sen. Charles Schumer, D-N.Y., last August, Jackson acknowledged that "different reservoirs around the country have

different specific conditions” — and said the agency would “reassess and analyze new data” as part of the review.

“As we conduct our review we intend to consider innovative approaches for public water systems,” Jackson wrote.

News Headline: In Land of Gas Drilling, Battle for Water That Doesn't Reek or Fizz |

Outlet Full Name: New York Times - Online, The

News Text: For the last few years, a small group of farmers and landowners scattered across this rural Wyoming basin have complained that their water wells have been contaminated with chemicals from a controversial drilling technique known as hydraulic fracturing, or fracking.

A draft report by the Environmental Protection Agency, issued in December, appeared to confirm their concerns, linking chemicals in local groundwater to gas drilling.

But here on the front lines of the battle over fracking, which has become an increasingly popular technique to extract previously unobtainable reserves of oil and gas, no conclusion is yet definitive.

After an outcry from Wyoming's governor, Matt Mead, and the energy industry that the federal report was premature and inconclusive, more testing was conducted by the United States Geological Survey and is being processed. The E.P.A. is also in the midst of collecting additional water samples for study.

In the meantime, the state has offered to provide cisterns for local residents, using \$750,000 allocated by the Wyoming Legislature this year. Under the plan, people here would still have to pay a fee to have their water hauled from the nearby community of Pavillion, at a cost that could run more than \$150 per month.

“I'd like to have the industry held accountable for once,” said Jeff Locker, a hay and barley farmer who said that his well water had gone bad around the mid-'90s and that the contaminants had contributed to his wife's neuropathy. “We've got scientific proof. And they're still turning their back on us. They expect us to pay between \$100 and \$200 for something we didn't cause. It gets under my skin.”

Encana Oil and Gas (U.S.A.) Inc., which bought the Pavillion gas field in 2004 and operates about 125 gas wells in the area, is already providing jugs of drinking water for Mr. Locker and 20 other households. It is unclear whether Encana will defray any of the cost of the cistern water.

“Until there is a peer-reviewed study and a good scientific basis that indicates that the issues related to water are related to our operations, that is not something we are ready to address,” said Doug Hock, an Encana spokesman.

Encana has maintained that water in the area is naturally poor and that its operations did not cause the problems — fracking had also occurred before the company purchased the gas field. Moreover, the energy industry has steadfastly pointed out that there has never been any conclusive link between fracking and water contamination.

Mr. Hock said it should have come as no surprise that the E.P.A.'s two monitoring wells showed high levels of methane and benzene because they were drilled deep into a natural gas field.

But some locals say the draft report's analysis of water samples, which identified synthetic chemicals consistent with natural gas drilling and hydraulic fracturing fluids, is proof of what they suspected for years.

“These are people that had good water,” said John Fenton, a barrel-chested farmer and chairman of the Pavillion Area Concerned Citizens group. “And it changed when there was this rush to come in here and develop the area when they didn't understand the geology.”

Mr. Fenton said he thought he had dodged a bullet until about three years ago, when his tap water began occasionally fizzing and smelling like petroleum. And even though Encana is giving him drinking water, Mr. Fenton said he and his family still bathe in dirty

water.

Renny MacKay, a spokesman for Mr. Mead, said the governor was committed to figuring out a long-term fix for about 20 homes whose water was found to contain contaminants while the source of the pollution is studied.

"The governor believes let's get more data points, let's do more science on this that is peer reviewed and whatever the conclusion, you go from there," he said.

At a meeting at the town high school on Thursday night, state environmental and water officials explained how the cisterns would work to about 50 people in attendance.

Some worried about their property values being deflated because of the attention the water contamination had drawn.

"Most of the property out here is fine," said Jon Martin, a local landowner. "There's nothing wrong with it. This is a shallow gas field. When you pass 200 feet, you're liable to hit natural gas. This isn't a fracking problem."

Most residents seemed open to installing cisterns, peppering the officials with questions. How much would it cost? Was this the only option? And what of the additional water samples drawn by the United States Geological Survey, whose results will be released this fall, and the E.P.A.'s draft report and new data, which will be reviewed by an independent panel? For now, there were plenty of unknowns.

Louis Meeks, a landowner whose tap water reeks like diesel fuel, listened quietly. He said he had been trying to clean his water for years to no avail, and no longer lets his granddaughter wash her clothes or bathe in his home. Recently, Mr. Meeks printed business cards for anyone interested in his predicament. A glass of water is pictured prominently.

"Fresh, fizzy ... Fracked," the cards read.

News Headline: Is Indiana taking proper action against toxins in our waterways? |

Outlet Full Name: Indianapolis Star - Online, The

News Text: About a mile south of Lucas Oil Stadium in Downtown Indianapolis, Tony Chao stood fishing one recent morning on the bank of the White River.

A few feet behind his back, a sign warned not to wade into the water. Too much raw sewage in there. A sign to his left warned "not all fish are safe to eat." Some have too many toxins in their meat.

When asked whether he actually eats what he catches, Chao, 55, gave a look that might best be described as "are you serious?"

Chao's three fishing rods were propped up next to a pile of someone else's discarded beer cans, sport-drink bottles and soggy carpet pieces.

Beyond the trash, across the river, a white cloud puffed up from a smokestack.

"I don't think people eat the fish here," Chao said.

And for good reason.

Map of Indiana's impaired waters

Indiana State Department of Health's fish advisory

EPA's mercury and air toxics standards

This stretch of the White River — like so many other Hoosier waterways — contains species of fish that have tested positive for mercury and other pollutants called PCBs, synthetic chemicals so toxic federal officials banned them more than three decades

ago.

That there are concerns about the water quality of Indiana's rivers, lakes and streams is not new. But environmentalists are increasingly worried the state has become passive about the problem, even as Indiana's regulators and industry officials say they've made significant progress monitoring and reducing the toxins in Hoosier waterways.

In a draft report about to be submitted to the U.S. Environmental Protection Agency, state environmental management officials say there are nearly 1,000 stretches of Indiana streams, rivers and lakes where fish have PCBs and mercury in their bodies.

But while other states have created action plans specifically geared toward reducing the contaminants in fish, Indiana hasn't.

And that concerns environmentalists who say state officials, prompted by a long-standing reluctance to regulate industrial polluters — particularly the coal-fired power plants that dump more than 4,000 pounds of mercury into the environment in a single year — are putting the public at risk.

"We know what the problem is"

At the heart of current debate is the Indiana Department of Environmental Management's handling of mercury and PCB contamination in a biennial water pollution report soon to be submitted to the EPA.

In the report, state water quality regulators list mercury and PCB fish-tissue contamination as a leading cause of lake and stream impairment, second only to fecal bacteria contamination.

Nevertheless, IDEM placed waterways with mercury and PCB-contaminated fish on a separate, less-urgent action list.

Environmentalists say the decision, in effect, allows the state to delay dealing with toxic fish.

Unacceptable, says Bowden Quinn, conservation program coordinator for the Sierra Club's Hoosier chapter.

He called it part of a longstanding pattern of inaction among state environmental regulators, who would rather grouse about federal agencies' lack of funding and guidance instead of actually doing something to get toxins out of the state's waterways.

For mercury at least, he said, that means forcing one industry to curb how much gets dumped into the environment.

"We know what the problem is," Quinn said. "It's coal."

According to the EPA, coal-burning power plants are the largest human-caused source of mercury in the U.S., accounting for more than 50 percent of all the nation's airborne mercury emissions.

In Indiana, coal power plants released more than 4,000 pounds of the element into the environment in 2010, the last year numbers were compiled by IDEM. Industrial boilers, foundries and incinerators accounted for 1,000 more pounds that year.

In 2008, Indiana was the seventh-largest source of mercury pollution in the country, according to the EPA's most recent figures.

Advisories issued

The source of PCB pollution is less easy to pinpoint.

PCBs, which were domestically manufactured to be used in things such as electrical transformers, plastics and floor finishes, were banned in 1979 after scientists linked them to a host of human health problems, including cancer.

PCBs seep into the water supply through such things as leaky transformers, old industrial centers and poorly maintained dump sites. Slow to break down, they linger in the environment for decades.

Mercury and PCBs have at least one thing in common: They wash into waterways and are absorbed by micro-organisms at a bottom of a waterway's food chain.

Those organisms are eventually eaten by fish — and the anglers who catch them.

Small levels of mercury and PCBs build up over time in the bodies of animals and people. The body never flushes them out.

They're particularly worrisome for pregnant women and young children because the toxins damage developing brains and bodies.

The problem is so widespread the Indiana State Department of Health has devoted an entire section of its website to giving anglers guidance about which waterways have contaminated fish and how much they should eat out of each one.

Falon French, outreach associate and policy researcher for the Hoosier Environmental Council, said the problem is that not everyone reads the state's fish-consumption warning signs.

"We hear from a lot of people who fish in the waterways and don't listen to the advisory," she said.

Even so, instilling "fear in people where it isn't warranted" is a bad idea, said Jody Arthur, integrated report coordinator for IDEM's Watershed Assessment and Planning Branch, because eating the occasional fish or taking a weekend swim is largely a safe activity in Indiana's lakes and rivers.

"Work's being done"

State officials say they aren't ignoring the toxins, nor being soft on industries that pollute. They just haven't found a reduction plan that is workable for them. They also say the EPA hasn't yet provided enough guidance and money.

IDEM officials say they've also made significant progress over the years in reducing mercury emissions. A decade ago, the state's polluters were releasing more than 10,000 pounds of mercury, twice the current numbers. And the amounts are expected to drop further by the time new EPA air-quality rules take effect.

A trade group president representing investor-owned electric utilities said the EPA also has recently introduced emission standards that will force companies to put smokestack scrubbers on most of Indiana's coal-burning power plants by 2016. And many small or older power stations will be retired because of the costly upgrades.

"Work's being done," said Stan Pinegar, president of the Indiana Energy Association. "It's not like neither the utilities or IDEM are sitting on their heels here."

The way the contaminants are listed in the EPA report, state officials say, also means Indiana will have to eventually come up with a pollution-reduction plan — just not right now.

Mercury finds its way into water from outside sources, too — power plants and other polluters across the globe, said Bruno Pigott, IDEM's assistant commissioner of water quality. He said more study is needed to determine the sources and what needs to be done.

"It's not a cheap process, and we want it to be scientifically defensible," he said. "We care. We care about getting it right."

The surest way to remove mercury from the environment would be to ban coal-fired power plants outright and switch to cleaner burning fuels such as natural gas — at a cost ratepayers likely wouldn't appreciate, said Thomas P. Simon, a former EPA aquatic biologist, now a professor at Indiana University's School of Public and Environmental Affairs.

Getting the remaining PCBs out of the state's waterways, Simon said, would similarly entail costly dredging, cleaning and "literally moving tons and tons of sediment."

"IDEM gets hammered a lot," Simon said. "Sometimes it's justified. But, overall, I think IDEM has done a good job, given the resources, given the manpower, given the constraints."

IDEM and other states

But leaders in other states have devoted cash and manpower to draft plans geared toward reducing PCBs and mercury in their fish.

A coalition of New England states, as well as Minnesota and New Jersey, already have developed mercury-reduction plans, which set emission standards and timelines for polluters to get their mercury output down, said Peter Cassell, the EPA's Midwest water-quality spokesman.

A number of states, including a coalition along the Delaware River on the East Coast, also have developed similar PCB-reduction plans that put controls on industry wastewater runoff and airborne chemical releases.

Rebecca Walter, mercury program coordinator for the Minnesota Pollution Control Agency, said her state's reason for coming up with a mercury reduction plan was simple enough: In a tourism-dependent state that touts itself as the "Land of 10,000 lakes," it didn't look good that 820 of them had health advisories warning of mercury-contaminated fish.

As such, she said, Minnesota's coal plants, mines and other industrial facilities were ordered to reduce their mercury output from more than 3,000 pounds in 2005 to 789 pounds by 2025. That's a reduction of nearly 75 percent.

Without a specific pollution plan, Indiana's goals are a lot less lofty.

IDEM officials say the state's mercury emissions are expected to see a 14 percent decrease by 2018, leaving Indiana with 4,300 pounds of the toxic element still emitted into the state's air and water each year.

Even though the EPA gives states leeway to prioritize which contaminants to target, Walter says, it's widely expected the federal government will soon begin forcing states to come up with plans similar to Minnesota's.

"I think the delaying isn't going to help," she said.

An unsafe food source

Natalie Roy, executive director of the Washington, D.C.-based Clean Water Network, said Indiana is clearly trying to "punt" responsibility of cleaning up its waterways.

"That's pathetic," she said.

It's also an example, she said, of a lack of uniform federal standards that would force states to do more to clean their troubled waters.

Roy said even if states do come up with pollution plans, lack of funding and political will means they can languish on shelves for decades.

Because each state is allowed to do things differently, it also makes it difficult to determine which ones are actually making progress — or to compare Indiana with other states.

Roy didn't hold out a lot of hope for Indiana on that front, especially after learning Gov. Mitch Daniels once argued the EPA should be renamed the "Employment Prevention Agency."

"This is about water, for God's sake," she said.

French, of the Hoosier Environmental Council, said cleaning up Indiana's streams and lakes also would help the economy.

She said not only is it fundamental for Indiana residents to have clean streams and rivers because they're the source of the state's drinking water, fishing is a major part of the state's heritage and culture, something that helps drive the tourism industry and spur job growth.

Eating fish caught from local streams and lakes, she said, also could help poor Hoosiers when times get tough. Of course, the fish first need to be safe to eat.

Chao, the White River fisherman, said he had no problem fishing in a waterway so dirty officials had to put up warning signs.

For him, fishing is for fun, not food. But for those who do want to eat fish, he offers some advice.

"Go to the store," he said. "It's safer."

News Headline: Judge once again delays new Florida water pollution rules |

Outlet Full Name: Tampa Tribune - Online

News Text: A federal judge again has delayed water pollution rules for Florida but said this will be the final extension.

U.S. District Judge Robert Hinkle on Thursday pushed back dates for the federal Environmental Protection Agency to sign proposed and permanent numeric nutrient rules for Florida.

Hinkle's ruling extends the deadline for proposed rules for rivers, streams and lakes outside of South Florida from June 4 to Nov. 30. A final proposal is due Aug. 31, 2013.

South Florida will have its own set of rules and deadlines. For proposed rules covering the same types of waters in South Florida and all coastal and estuarine waters, the deadline goes from June 4 to July 20 with final rules due May 10, 2013.

The highly technical rules have been a catalyst for a philosophical, high-stakes battle in Florida.

Business, agriculture and utility interests oppose the federal rules, saying they are prohibitively expensive and an example of federal intrusion into a state issue. Environmentalists said the federal government needs to enforce rules that stop algae blooms choking Florida waters because state and local officials don't have the political will to do it.

News Headline: Rewards of regulation |

Outlet Full Name: Providence Journal - Online

News Text: Thank God for the EPA! Many New England rivers, especially in the southern part of our region, were intensely polluted as raw sewage and stuff from industry, including nasty, toxic heavy metals and chemicals, were dumped willy-nilly into our streams and lakes into the early '70s.

But a lot of these rivers are much cleaner now -- including the beautiful Housatonic, which flows out of the Berkshires on its way to Long Island Sound. Bill Hall, here in the Litchfield Hills of northwest Connecticut, an area you'd now call more New York City exurban than truly rural, shows what might be an indirect reward from the cleanup.

Fly fishing, by the way, has to be one of the loveliest and most soothing sports. No wonder that Norman Maclean wrote so beautifully about it in "A River Runs Through It". He was a Montanan, but I assume that he fly fished when he was an undergraduate in New England, at Dartmouth College, on the (then rather polluted but now cleaner) Connecticut River in New Hampshire.

Northern New England's rivers were generally much cleaner than the southern ones. Still, the paper and other industries did their fair share in polluting rivers, and no one decades ago worried much about raw sewage going into the streams.

The feeling was that there was more than enough water and land to absorb our assault on them. And, of course, we knew a lot less about pollution's effects on human health.

By Robert Whitcomb

News Headline: Water pollution figures can be apples and oranges |

Outlet Full Name: Indianapolis Star - Online, The

News Text: Just because a state increases the number of streams and lakes on a national list of polluted waterways it doesn't necessarily mean it's worse off.

It could just mean officials actually are looking for problems.

That's why scientists, environmentalists and state water quality officials caution against making too much of Indiana Department of Environmental Management officials proposing to add more than 4,000 miles of streams and rivers to a list of 12,000 miles of waterways that already didn't meet U.S. Clean Water Act standards.

Indiana's list of so-called waters "impaired" with contaminants also includes 73,076 surface acres of lakes.

Based on previous years' reports submitted to the U.S. Environmental Protection Agency, Indiana already had the fifth-most impaired waterways in the country behind Pennsylvania, Washington, Michigan and Florida.

But because each state is given leeway to test its waters differently — and with varying degrees of enthusiasm — it's nearly impossible to determine which states have the dirtiest waterways or whether they're improving or becoming worse.

Environmental groups called it one of their long-standing frustrations with the way federal officials enforce the nation's water quality laws.

"It's hard to compare," said Natalie Roy, executive director of the Washington, D.C.-based Clean Water Network. "It's deliberately designed that way."

While the Clean Water Act gives states flexibility in solving their individual water woes, critics say that also means state officials who don't want to find polluted waterways — and pay to clean them up — aren't required to look very hard.

It also means that states such as Indiana, where officials more aggressively test their waterways, appear more polluted than states that don't, said Thomas P. Simon, a former EPA aquatic biologist who now is a professor at Indiana University's School of Public and Environmental Affairs.

"It's not because we're worse," Simon said. "It's because we're actually monitoring."

IDEM officials say they recently began introducing more long-term tests of individual streams and lakes into their testing regime.

Still, just 63 percent of Indiana's rivers and streams have been tested for pollutants so far.

Of those, more than two-thirds contained some sort of impairment.

IDEM officials say they fully expect Indiana's list of impaired waterways to grow two years from now, when the state next has to submit an impairment report to the EPA.

"Simply put," said IDEM spokeswoman Amy Hartsock, "when you look in new places each year, you're going to identify new problems."

Posted in: Environment

News Headline: Chesapeake Plumbing Inc. Offers Green Plumbing Services |

Outlet Full Name: UPI.com

News Text: In an effort to preserve natural resources, Chesapeake Plumbing Inc. is offering a variety of green plumbing products

and services from low-flow faucets to high-efficiency water heaters that are both eco-friendly and energy-efficient.

Family owned and operated, Chesapeake Plumbing Inc. employs certified and licensed Maryland plumbers who participate in ongoing technical training to perfect their skills and learn more efficient and environmentally friendly plumbing techniques.

"Unlike many other plumbers in Maryland, we perform free energy evaluations to present our customers with greener alternatives and show how they can reduce their utility bills," said Paul Kingston, the owner of Chesapeake Plumbing Inc.

According to the Environmental Protection Agency (EPA), more than 15 percent of water people use indoors comes from faucets. Therefore, installation of water-saving faucets can significantly lower water use and, subsequently, utility bills.

EPA has developed a WaterSense program to help consumers find greener options in the vast assortment of plumbing accessories. Products bearing a "WaterSense" label are designed to reduce water use by as much as 30 percent. This is achieved by incorporating automatic shut-off mechanisms or aerators that push air into the water flow.

"We offer a variety of eco-friendly plumbing accessories from such brands as Moen, Kohler, Delta, and many more, which our Maryland master plumbers are trained to install and service," shared Kingston.

Similar to faucets, showerheads and toilets can also help homeowners preserve a significant amount of water that is otherwise wasted. "WaterSense" toilets use less water per flush, and many showerheads feature adaptors that turn the flow on only when the water is hot enough to shower.

Aside from plumbing accessories, there are also big household appliances that process large amounts of water. Outdated dishwashers, washing machines, water heaters, sump pumps, and well pumps can cause high utility bills.

"Having performed many well and sump pump repairs and replacements throughout Maryland, we recommend our customers not to wait until either one brakes. Most of the pumps in older homes are outdated, so timely replacement won't only help prevent a potential mayhem, but will also allow you to save money by maximizing energy efficiency," pointed out Kingston.

He further explained that being up to date on service and maintenance is also essential for utilizing green plumbing methods to their full potential. "If the rubber flipper in your low-flow toilet's tank is slowly disintegrating, you'll start losing water to the point where the toilet runs non-stop," added Kingston. "In order to see the benefits from the green technologies, you need to maintain them well."

About Chesapeake Plumbing Inc.

Founded in 1990, Chesapeake Plumbing Inc. specializes in installation and service of full plumbing systems, well and sump pumps, water heaters and boilers, sewer inspection, and many other plumbing-related planned and emergency services. Maryland-based and family-owned company, Chesapeake Plumbing Inc. performs more than 200 plumbing system installations a year serving Maryland counties to the West of Chesapeake Bay. For more information, please visit <http://www.chesapeakeplumbing.com>.

Read the full story at <http://www.prweb.com/releases/Chesapeake-Plumbing/green-plumbing/prweb9559445.htm>

PRWeb.com

News Headline: CORRECTING and REPLACING Tennessee American Water Files Rate Increase With Tennessee Regulatory Authority |

Outlet Full Name: UPI.com

News Text: By: Tennessee American Water via Business Wire News Releases

Second graph, second sentence should read: This filing covers local water infrastructure investments of an estimated \$25 million.

(sted This filing covers local water infrastructure investments of an estimated \$13.3 million.)

The corrected release reads:

TENNESSEE AMERICAN WATER FILES RATE INCREASE WITH TENNESSEE REGULATORY AUTHORITY

Investments in local water infrastructure drive request; Cost of local drinking water service remains less than a penny per gallon

Tennessee American Water today filed a general rate case application with the Tennessee Regulatory Authority (TRA) requesting an increase in drinking water rates for customers in the company's Chattanooga, Lookout Mountain, Lakeview, Suck Creek and Lone Oak service areas.

Tennessee American Water's ongoing investment in local water infrastructure to renew and replace water treatment facilities, pumps and pipelines is one of the main drivers for the rate request. This filing covers local water infrastructure investments of an estimated \$25 million.

Over the past 16 years, Tennessee American Water has invested more than \$127 million in local water infrastructure while the average annual percentage increase in Chattanooga over the past 16 years is around 2.8 percent.

In Chattanooga, the monthly water bill for an average residential customer (4,153 gallons per month) today is less than \$20.00 (\$19.20) per month.

Many communities across the country are facing the challenges of aging water and wastewater infrastructure and associated rate hikes. The United States EPA says the nation's water utilities will need to make more than \$355 billion in infrastructure investments over the next 20 years to replace thousands of miles of pipe and for upgrades to treatment plants, storage tanks and other assets to ensure public health. According to the American Society of Civil Engineers, Tennessee's (entire state) drinking water infrastructure needs an investment of \$2.77 billion over the next 20 years.

Deron Allen, president of Tennessee American Water, said, "Our company works to operate efficiently and control operating expenses. Our aim is to balance that goal with the continuous need for significant capital investment in local infrastructure to ensure system reliability and meet increasing state and federal quality requirements."

If the new rates are approved as requested, they would generate approximately \$10.5 million in additional revenue for the company. There is no immediate impact for customers. Over the next six months, the Tennessee Regulatory Authority will conduct an extensive review of Tennessee American Water's rate application that includes review of thousands of pages of documentation to demonstrate that the request is just and reasonable. The process, which will include public input, takes about six months. Any increase granted by the TRA in this case would be effective about December 2012, which would be more than 1.5 years since the last water rate increase in April 2011.

According to the company's request, if approved in full, drinking water rates for a residential customer who uses 4,153 gallons of drinking water per month would:

Increase in the Chattanooga service area by \$5.94, or about 20 cents per day, to \$25.15.

Increase in the Lookout Mountain service area by \$5.24, or about 17 cents per day, to \$30.16.

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"Our rates reflect the true cost of providing water service to our customers. This includes significant investment in local infrastructure to enhance and maintain our systems to ensure the quality and reliability of our service," said Allen, "These investments enhance service quality, reliability and fire protection for our customers while keeping the cost of water service for most local households at less than a penny per gallon."

ABOUT TENNESSEE AMERICAN WATER

Tennessee American Water, a wholly owned subsidiary of American Water (NYSE: AWK), is the largest publicly traded water utility in the state, providing high-quality and reliable water services to more than 350,000 people in Tennessee and northern Georgia. Founded in 1886, American Water is the largest publicly traded U.S. water and wastewater utility company. With headquarters in Voorhees, N.J., the company employs approximately 7,000 dedicated professionals who provide drinking water, wastewater and other related services to an estimated 15 million people in more than 30 states, as well as parts of Canada. More information can be found by visiting www.amwater.com.

News Headline: EPA has concerns for Keystone pipeline near coast |

Outlet Full Name: Bloomberg Businessweek - Online
News Text: HOUSTON

A Canadian company seeking to build a pipeline to transport crude oil from Canada to Gulf Coast refineries has submitted a new application for the southern segment of the project that avoids sensitive wetlands in Texas.

TransCanada submitted its new application in April, after the U.S. Environmental Protection Agency raised concerns about the effect the original plan would have on wetlands along the Texas Gulf Coast and called for a more rigorous review process. Under the new plan, the company will drill under the wetlands rather than run across them, eliminating the need for EPA involvement, said Vicki Dixon, regulatory program manager for the southwestern division of the Army Corps of Engineers.

"The applicant is avoiding some of the impacts that were in the previous request," Dixon said. "At this point, from their initial review, the impacts have been reduced from what they had been in the previous proposal."

This permit is for the southern portion of a pipeline -- the Gulf Coast Project -- that will eventually meet up with the larger Keystone XL pipeline that will run from Alberta, Canada, to the Gulf Coast. The pipeline is primarily designed to transport crude oil from Canada's tar sands region to refineries in Texas. When it's complete, it will be able to move 1.4 million barrels of crude oil a day.

From the start, though, the project has attracted fierce opposition from environmental groups, and the larger plan was eventually rejected by President Barack Obama who asked TransCanada to reroute the northern portion to avoid sensitive areas of Nebraska. In the meantime, to relieve a bottleneck at a refinery in Cushing, Okla., Obama encouraged TransCanada to separately move ahead with the segment leading from the Midwest to the Gulf Coast.

TransCanada spokesman Terry Cunha said that is why the company withdrew the initial application that drew the EPA's ire. The decision to drill under the wetlands and in some cases move the pipeline a few feet "to protect a farm house or a grain bin" were done to meet the requirements of the Army Corps of Engineers.

TransCanada believes it will have its permits in place to begin constructing the southern portion of the pipeline this summer, Cunha said.

Dixon said the Corps has not yet approved the application, but added that it appears the changes that have been made mitigate many of the environmental concerns they initially had.

TransCanada has applied for a "nationwide" permit from the Corps. Under this permit process, there is no public comment period to specifically discuss or address a project. Instead, there is one public comment period to approve the conditions that need to be met to have a project awarded. And it is assumed, if the permit is approved, that the environment and waters are being protected.

This has left some landowners feeling they have no say in the process.

"As people who are mostly impacted by this and will bear the brunt of this, our voices have been silenced for us by the process, and it's one that we should have input in," said David Daniel, a Winnsboro, Texas, resident who will have the proposed pipeline run through his 20-acre property.

Associated Press writer Matthew Daly contributed to this report from Washington.

Ramit Plushnick-Masti can be followed on Twitter at <https://twitter.com/RamitMastiAP>.

News Headline: House panel to host mountaintop mining hearing |

Outlet Full Name: NewsOK.com (Oklahoman) - Online

News Text: CHARLESTON, W.Va. (AP) — A longtime West Virginia activist is testifying before Congress about mountaintop removal coal mining.

Maria Gunnoe of Bob White is appearing Friday morning before a House Subcommittee on Energy and Mineral Resources.

She'll talk about the battle over Arch Coal's planned Spruce No. 1 mine in Logan County.

The U.S. Environmental Protection Agency plans to appeal a federal court ruling that overturned its veto of a key water pollution permit for one of West Virginia's largest mountaintop removal mines.

That appeal hadn't been filed as of Thursday afternoon.

Also invited to testify are: Thomas Bostick of the U.S. Army Corps of Engineers; EPA Administrator Lisa Jackson; and Joseph Pizarchik of the federal Office of Surface Mining Reclamation and Enforcement.

The hearing will be streamed live online.

Online:

Webcast: <http://bit.ly/hlcoUd>

News Headline: Judge again delays new Fla. water pollution rules |

Outlet Full Name: Miami Herald - Online, The

News Text: TALLAHASSEE, Fla. -- A federal judge again has delayed water pollution rules for Florida but says this will be the final extension.

U.S. District Judge Robert Hinkle on Thursday pushed back dates for the federal Environmental Protection Agency to sign proposed and permanent numeric nutrient rules for Florida.

The deadline for proposed rules for rivers, streams and lakes outside of South Florida is extended from June 4 to Nov. 30 with a final proposal due Aug. 31, 2013

For proposed rules covering the same types of waters in South Florida and all coastal and estuarine waters the deadline goes from June 4 to July 20 with final rules due May 10, 2013.

Business, agriculture and utility interests oppose the federal rules favored by environmentalists to stop algae blooms choking Florida waters.

News Headline: Judge in case involving Parker County well contamination loses election

Outlet Full Name: Fort Worth Star-Telegram - Online

News Text: A Parker County judge who, in the midst of an environmental case, bragged in campaign literature that he had forced the EPA to turn tail lost his Republican primary battle May 29.

State District Judge Trey Loftin's next challenge will be to stay on the bench as the case involving gas drilling proceeds.

Steven Lipsky and his wife, Shyla, who sued Range Resources, filed a court motion May 29 to disqualify or recuse Loftin. The motion says Loftin released campaign mailers urging his re-election on the basis of "rulings he had made against the Lipskys."

The motion further argues that Loftin believed that the outcome of the case would affect his re-election and "thus, the campaign mailers show that Judge Loftin believes that he had a direct financial and personal interest in the outcome of the proceeding, which requires his disqualification."

On May 29, he lost to Weatherford attorney Craig Towson, who captured 52 percent of the vote, according to unofficial returns. Towson, who could not be reached for comment, previously said a judge shouldn't "ever comment about a case pending in his court."

Loftin said May 30 that he could not comment on a matter that is pending before him, such as the Lipsky motion. He said that in general, recusals are not uncommon and that he has stepped away from cases because of the perception of an ethical conflict.

"I don't know what's going to happen in the Lipsky case," he said. "I won't be the judge to see it to completion anyway."

He attributed his loss in the primary to a "firestorm, politically generated," in the waning days of the campaign and said the Lipsky case could have been one factor.

Steven Lipsky said May 30 that he would like Loftin removed from his case and that Loftin's statements during the campaign "showed he was biased."

Lipsky appeared to have mixed feelings on the election results.

"I think it's great for the next person, but I don't know how it's going to help my case," he said. "At least maybe [the next person] can have a fair shake. I definitely don't feel like I got a fair shake."

Several calls to Range Resources and its attorney, Andrew Sims of Fort Worth, were not returned.

The judge's rulings

Loftin, of the 43rd District Court, has ruled in favor of Range Resources of Fort Worth several times in the case. He has also described as "deceptive" a video taken by the Lipskys that showed burning water from a reportedly methane-contaminated water well.

The EPA initially issued an order blaming the company for the contamination, then withdrew it 15 months later.

A Loftin campaign flier said, "Obama's EPA backed down only after Judge Trey Loftin ruled that the evidence was 'deceptive.'"

A campaign spokesman has said Loftin's mailings were appropriate.

The Lipskys have alleged in court filings that two Range natural gas wells contaminated their water well with methane. In January, the judge threw out the Lipskys' \$6.5 million lawsuit against Range, ruling that the couple lacked legal jurisdiction to sue because the Texas Railroad Commission had determined in March 2011 that Range's gas wells were not responsible for contaminating their well.

Range has countersued, accusing the couple and an environmental consultant of conspiring to defame the company. The suit seeks a multimillion-dollar judgment. Loftin ruled against the Lipskys on a motion to dismiss the counterclaim.

As a result, the Lipskys are seeking to halt the defamation suit under a Texas law enacted last summer.

Known as the Anti-SLAPP Act, the law allows judges to dismiss lawsuits filed against those who speak out about a matter of concern. Matters of concern are identified as involving health and safety, the environment, economic or community well-being, the government, a public official or figure, or a good, product or service in the marketplace.

In court documents, the Lipskys' attorney, Allen Stewart of Dallas, argues that the Lipskys and the consultant did nothing improper or deceptive in the video and that Range cannot establish "clear and convincing evidence of 'actual malice' by the Lipskys."

The motion further states that the court "shall dismiss a legal action ... [if it is] based on, relates to, or is in response to the party's exercise of its free speech rights and/or right to petition."

Stewart could not be reached for comment.

Lipsky was reluctant to talk about the defamation action.

"I can clearly see why the law was put into place against large companies like this," he said.

In general, large companies "pretty much do what they want to and it's kind of hard to stop them sometimes."

There was no Democratic candidate in last week's primary. Loftin said he plans to serve his full term.

If he is recused from the Lipskys' case, his decisions will stand while it is on appeal.

Darren Barbee, 817-390-7126

News Headline: Louisville will replace many of downtown's dead or dying trees |

Outlet Full Name: Indianapolis Star - Online, The

News Text: Storms, neglect and a brutal environment have killed roughly one-third of Louisville's downtown trees, some 300 in the past five years, and recent tight city budgets have prevented replanting.

The result is less shade in the hottest part of the city and less inviting streets.

But with \$40,000 from the Metropolitan Sewer District, 166 new trees have been selected and are waiting to be planted, possibly over the next few weeks, in hopes of filling about half of the empty tree wells in downtown sidewalks.

"It was a no-brainer once we realized the funds were available," said Ken Herndon, director of operations for the Louisville Downtown Management District, which oversees planning, security and beautification in the center city. "We are hoping that once these are in the ground, to get another grant and finish them out in the fall."

Some tree advocates question how successful the plantings will be and are calling for policy changes to give all downtown street trees a better chance of living longer — such as establishing larger wells in sidewalks for planting and finding ways to make sure trees are maintained by property owners or the city.

But generally the effort is being welcomed.

"Absolutely," said Henry Heuser Jr., co-chair of the new Louisville Metro Tree Advisory Commission. Dead trees, such as one near the Kentucky International Convention Center on Market Street, "make it look like nobody cares," he said, adding that stumps left in some wells are also not appealing. A vibrant tree cover downtown "just sends a signal that we are a very livable

community," he said.

MSD is involved through its obligations to the U.S. Environmental Protection Agency to greatly reduce sewage overflows into area creeks and the Ohio River. Trees intercept and store rain, helping to reduce overflows triggered by storm water.

Trees can do a lot more, too, experts say, including helping to counter heat generated by downtown buildings and asphalt, creating what's called an urban heat island. A Georgia Institute of Technology professor, Brian Stone Jr., recently estimated that Louisville's heat island, or the difference between urban and nearby rural temperatures, may be among the largest in the country.

News Headline: Midwest cattle farmers complain of US government "spying" |

Outlet Full Name: Orlando Sentinel - Online

News Text: 10:54 p.m. EST, May 30, 2012

KANSAS CITY, Mo., May 30 (Reuters) - U.S. cattle farmers

complained on Wednesday that a federal agency is "spying" on

their operations by flying airplanes over Midwest cattle

feedlots to see if they are complying with clean water

regulations.

The livestock producers and some members of Congress from

rural areas want to know why the Environmental Protection Agency

(EPA) is using airplanes to monitor whether feedlots are obeying

the Clean Water Act.

"The federal government has literally resorted to spying on

producers," said Kristen Hassebrook, natural resources and

environmental affairs director for the Nebraska Cattlemen.

Her association advised two U.S. senators and three members

of the U.S. House of Representatives from Nebraska in drafting a

letter to EPA Administrator Lisa Jackson on the matter. They

said the aerial surveillance raises privacy concerns and they

question the statutory authority for the flights.

Hassebrook said inspections and photographs from high in the

air may result in faulty assumptions about whether a feedlot is

operating properly, which could expose the owner to unfounded

allegations.

Feedlots are where cattle are kept in confinement and fed intensively until they are ready for slaughter. Because there are usually large numbers in a limited space, the accumulation of manure needs to be disposed. The waste can pollute ground water.

The EPA defended the flights on Wednesday as part of its effort to enforce the law, which sets standards for how cattle feedlots are to dispose of manure to avoid pollution.

"EPA uses over-flights, state records and other publicly available sources of information to identify discharges of pollution," said a statement issued by the EPA's Kansas City regional office. "In no case has EPA taken an enforcement action solely on the basis of these over-flights."

EPA has for 10 years used flyovers to verify compliance with environmental laws on watersheds as a "cost-effective" tool to minimize inspection costs, according to the statement.

The EPA did not say how long the feedlots have been under aerial inspection, but Hassebrook said her group believes it began in 2010.

The EPA held a meeting in West Point, Nebraska, in March to discuss the flyovers in Nebraska and Iowa, Hassebrook said.

About 125 cattle producers attended the meeting, she said.

The letter from the Nebraska members of Congress raises questions about the frequency of the flights, who gets inspected, what becomes of pictures or video and whether the EPA is also looking for violations unrelated to the Clean Water Act.

"Nebraskans are rightly skeptical of an agency which continues to unilaterally insert itself into the affairs of

rural America," congressman Adrian Smith of Nebraska said in a statement on Tuesday.

Farmers have been at loggerheads for years with the EPA over everything from water pollution and greenhouse gas emissions, to dust in the air from crops and fields. The nation's largest farm organization, the American Farm Bureau Federation, last year sued the EPA, and several states have complained about what they call excessive regulation.

The EPA defends the regulation as necessary to protect the environment.

News Headline: Montclair State University names new director for environmental institute

|

Outlet Full Name: NorthJersey.com

News Text: Montclair State University has named a new director of the university's Passaic River Institute for Environmental Research and Education.

Meiyin Wu, a National Science Foundation grant recipient, will lead the institute, founded in 2003 to promote environmental research and education and look for solutions to environmental problems within the Passaic River Basin, its tributaries and the surrounding watershed lands.

"The Passaic River is remarkably diverse, including drinking water watersheds, large exurban and suburban wetland areas, and densely populated, environmentally contaminated land," Wu said. "I welcome the challenge of helping the Passaic River Institute find solutions for the array of environmental problems that the Basin faces today."

Wu, an associate professor of biology and molecular biology, earned an NSF grant to study greenhouse gas emissions from tidal wetlands in the Meadowlands. A U.S. Interior Department grant is funding her work on the EPA Great Lakes Restoration Initiative, which involves developing an ultrasound treatment device that can eliminate invasive aquatic organisms from ship ballast waters.

Wu's research also includes work on the global environmental problems associated with invasive exotic species. She recently completed two wetland projects funded by the federal Environmental Protection Agency for wetlands in upstate New York. She currently serves on the New Jersey Water Monitoring Coordinating Council and the New Jersey Invasive Species Strike Team.

Montclair State recently announced its fifth Passaic River Symposium, will be held on campus Oct. 19. This year's conference will focus on restoration efforts of the lower Passaic.

News Headline: Passaic County to discuss 'green' infrastructure planning |

Outlet Full Name:

cials had to put up warning signs.

For him, fishing is for fun, not food. But for those who do want to eat fish, he offers some advice.

"Go to the store," he said. "It's safer."

News Headline: Judge once again delays new Florida water pollution rules |

Outlet Full Name: Tampa Tribune - Online

News Text: A federal judge again has delayed water pollution rules for Florida but said this will be the final extension.

U.S. District Judge Robert Hinkle on Thursday pushed back dates for the federal Environmental Protection Agency to sign proposed and permanent numeric nutrient rules for Florida.

Hinkle's ruling extends the deadline for proposed rules for rivers, streams and lakes outside of South Florida from June 4 to Nov. 30. A final proposal is due Aug. 31, 2013.

South Florida will have its own set of rules and deadlines. For proposed rules covering the same types of waters in South Florida and all coastal and estuarine waters, the deadline goes from June 4 to July 20 with final rules due May 10, 2013.

The highly technical rules have been a catalyst for a philosophical, high-stakes battle in Florida.

Business, agriculture and utility interests oppose the federal rules, saying they are prohibitively expensive and an example of federal intrusion into a state issue. Environmentalists said the federal government needs to enforce rules that stop algae blooms choking Florida waters because state and local officials don't have the political will to do it.

News Headline: Rewards of regulation |

Outlet Full Name: Providence Journal - Online

News Text: Thank God for the EPA! Many New England rivers, especially in the southern part of our region, were intensely polluted as raw sewage and stuff from industry, including nasty, toxic heavy metals and chemicals, were dumped willy-nilly into our streams and lakes into the early '70s.

But a lot of these rivers are much cleaner now -- including the beautiful Housatonic, which flows out of the Berkshires on its way to Long Island Sound. Bill Hall, here in the Litchfield Hills of northwest Connecticut, an area you'd now call more New York City exurban than truly rural, shows what might be an indirect reward from the cleanup.

Fly fishing, by the way, has to be one of the loveliest and most soothing sports. No wonder that Norman Maclean wrote so beautifully about it in "A River Runs Through It". He was a Montanan, but I assume that he fly fished when he was an undergraduate in New England, at Dartmouth College, on the (then rather polluted but now cleaner) Connecticut River in New Hampshire.

Northern New England's rivers were generally much cleaner than the southern ones. Still, the paper and other industries did their fair share in polluting rivers, and no one decades ago worried much about raw sewage going into the streams.

The feeling was that there was more than enough water and land to absorb our assault on them. And, of course, we knew a lot less about pollution's effects on human health.

By Robert Whitcomb

News Headline: Water pollution figures can be apples and oranges |

Outlet Full Name: Indianapolis Star - Online, The

News Text: Just because a state increases the number of streams and lakes on a national list of polluted waterways it doesn't necessarily mean it's worse off.

It could just mean officials actually are looking for problems.

That's why scientists, environmentalists and state water quality officials caution against making too much of Indiana Department of Environmental Management officials proposing to add more than 4,000 miles of streams and rivers to a list of 12,000 miles of waterways that already didn't meet U.S. Clean Water Act standards.

Indiana's list of so-called waters "impaired" with contaminants also includes 73,076 surface acres of lakes.

Based on previous years' reports submitted to the U.S. Environmental Protection Agency, Indiana already had the fifth-most impaired waterways in the country behind Pennsylvania, Washington, Michigan and Florida.

But because each state is given leeway to test its waters differently — and with varying degrees of enthusiasm — it's nearly impossible to determine which states have the dirtiest waterways or whether they're improving or becoming worse.

Environmental groups called it one of their long-standing frustrations with the way federal officials enforce the nation's water quality laws.

"It's hard to compare," said Natalie Roy, executive director of the Washington, D.C.-based Clean Water Network. "It's deliberately designed that way."

While the Clean Water Act gives states flexibility in solving their individual water woes, critics say that also means state officials who don't want to find polluted waterways — and pay to clean them up — aren't required to look very hard.

It also means that states such as Indiana, where officials more aggressively test their waterways, appear more polluted than states that don't, said Thomas P. Simon, a former EPA aquatic biologist who now is a professor at Indiana University's School of Public and Environmental Affairs.

"It's not because we're worse," Simon said. "It's because we're actually monitoring."

IDEM officials say they recently began introducing more long-term tests of individual streams and lakes into their testing regime.

Still, just 63 percent of Indiana's rivers and streams have been tested for pollutants so far.

Of those, more than two-thirds contained some sort of impairment.

IDEM officials say they fully expect Indiana's list of impaired waterways to grow two years from now, when the state next has to submit an impairment report to the EPA.

"Simply put," said IDEM spokeswoman Amy Hartsock, "when you look in new places each year, you're going to identify new problems."

Posted in: Environment

News Headline: Chesapeake Plumbing Inc. Offers Green Plumbing Services |

Outlet Full Name: UPI.com

News Text: In an effort to preserve natural resources, Chesapeake Plumbing Inc. is offering a variety of green plumbing products and services from low-flow faucets to high-efficiency water heaters that are both eco-friendly and energy-efficient.

Family owned and operated, Chesapeake Plumbing Inc. employs certified and licensed Maryland plumbers who participate in ongoing technical training to perfect their skills and learn more efficient and environmentally friendly plumbing techniques.

"Unlike many other plumbers in Maryland, we perform free energy evaluations to present our customers with greener alternatives and show how they can reduce their utility bills," said Paul Kingston, the owner of Chesapeake Plumbing Inc.

According to the Environmental Protection Agency (EPA), more than 15 percent of water people use indoors comes from faucets. Therefore, installation of water-saving faucets can significantly lower water use and, subsequently, utility bills.

EPA has developed a WaterSense program to help consumers find greener options in the vast assortment of plumbing accessories. Products bearing a "WaterSense" label are designed to reduce water use by as much as 30 percent. This is achieved by incorporating automatic shut-off mechanisms or aerators that push air into the water flow.

"We offer a variety of eco-friendly plumbing accessories from such brands as Moen, Kohler, Delta, and many more, which our Maryland master plumbers are trained to install and service," shared Kingston.

Similar to faucets, showerheads and toilets can also help homeowners preserve a significant amount of water that is otherwise wasted. "WaterSense" toilets use less water per flush, and many showerheads feature adaptors that turn the flow on only when the water is hot enough to shower.

Aside from plumbing accessories, there are also big household appliances that process large amounts of water. Outdated dishwashers, washing machines, water heaters, sump pumps, and well pumps can cause high utility bills.

"Having performed many well and sump pump repairs and replacements throughout Maryland, we recommend our customers not to wait until either one brakes. Most of the pumps in older homes are outdated, so timely replacement won't only help prevent a potential mayhem, but will also allow you to save money by maximizing energy efficiency," pointed out Kingston.

He further explained that being up to date on service and maintenance is also essential for utilizing green plumbing methods to their full potential. "If the rubber flipper in your low-flow toilet's tank is slowly disintegrating, you'll start losing water to the point where the toilet runs non-stop," added Kingston. "In order to see the benefits from the green technologies, you need to maintain them well."

About Chesapeake Plumbing Inc.

Founded in 1990, Chesapeake Plumbing Inc. specializes in installation and service of full plumbing systems, well and sump pumps, water heaters and boilers, sewer inspection, and many other plumbing-related planned and emergency services. Maryland-based and family-owned company, Chesapeake Plumbing Inc. performs more than 200 plumbing system installations a year serving Maryland counties to the West of Chesapeake Bay. For more information, please visit <http://www.chesapeakeplumbing.com>.

Read the full story at <http://www.prweb.com/releases/Chesapeake-Plumbing/green-plumbing/prweb9559445.htm>

PRWeb.com

News Headline: CORRECTING and REPLACING Tennessee American Water Files Rate Increase With Tennessee Regulatory Authority |

Outlet Full Name: UPI.com

News Text: By: Tennessee American Water via Business Wire News Releases

Second graph, second sentence should read: This filing covers local water infrastructure investments of an estimated \$25 million. (sted This filing covers local water infrastructure investments of an estimated \$13.3 million.)

The corrected release reads:

TENNESSEE AMERICAN WATER FILES RATE INCREASE WITH TENNESSEE REGULATORY AUTHORITY

Investments in local water infrastructure drive request; Cost of local drinking water service remains less than a penny per gallon

Tennessee American Water today filed a general rate case application with the Tennessee Regulatory Authority (TRA) requesting an increase in drinking water rates for customers in the company's Chattanooga, Lookout Mountain, Lakeview, Suck Creek and Lone Oak service areas.

Tennessee American Water's ongoing investment in local water infrastructure to renew and replace water treatment facilities, pumps and pipelines is one of the main drivers for the rate request. This filing covers local water infrastructure investments of an estimated \$25 million.

Over the past 16 years, Tennessee American Water has invested more than \$127 million in local water infrastructure while the average annual percentage increase in Chattanooga over the past 16 years is around 2.8 percent.

In Chattanooga, the monthly water bill for an average residential customer (4,153 gallons per month) today is less than \$20.00 (\$19.20) per month.

Many communities across the country are facing the challenges of aging water and wastewater infrastructure and associated rate hikes. The United States EPA says the nation's water utilities will need to make more than \$355 billion in infrastructure investments over the next 20 years to replace thousands of miles of pipe and for upgrades to treatment plants, storage tanks and other assets to ensure public health. According to the American Society of Civil Engineers, Tennessee's (entire state) drinking water infrastructure needs an investment of \$2.77 billion over the next 20 years.

Deron Allen, president of Tennessee American Water, said, "Our company works to operate efficiently and control operating expenses. Our aim is to balance that goal with the continuous need for significant capital investment in local infrastructure to ensure system reliability and meet increasing state and federal quality requirements."

If the new rates are approved as requested, they would generate approximately \$10.5 million in additional revenue for the company. There is no immediate impact for customers. Over the next six months, the Tennessee Regulatory Authority will conduct an extensive review of Tennessee American Water's rate application that includes review of thousands of pages of documentation to demonstrate that the request is just and reasonable. The process, which will include public input, takes about six months. Any increase granted by the TRA in this case would be effective about December 2012, which would be more than 1.5 years since the last water rate increase in April 2011.

According to the company's request, if approved in full, drinking water rates for a residential customer who uses 4,153 gallons of drinking water per month would:

Increase in the Chattanooga service area by \$5.94, or about 20 cents per day, to \$25.15.

Increase in the Lookout Mountain service area by \$5.24, or about 17 cents per day, to \$30.16.

Increase in the Lakeview service area by \$8.06, or about 27 cents per day, to \$30.16.

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"Our rates reflect the true cost of providing water service to our customers. This includes significant investment in local infrastructure to enhance and maintain our systems to ensure the quality and reliability of our service," said Allen, "These investments enhance service quality, reliability and fire protection for our customers while keeping the cost of water service for most local households at less than a penny per gallon."

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News Headline: EPA has concerns for Keystone pipeline near coast |

Outlet Full Name: Bloomberg Businessweek - Online
News Text: HOUSTON

A Canadian company seeking to build a pipeline to transport crude oil from Canada to Gulf Coast refineries has submitted a new application for the southern segment of the project that avoids sensitive wetlands in Texas.

TransCanada submitted its new application in April, after the U.S. Environmental Protection Agency raised concerns about the effect the original plan would have on wetlands along the Texas Gulf Coast and called for a more rigorous review process. Under the new plan, the company will drill under the wetlands rather than run across them, eliminating the need for EPA involvement, said Vicki Dixon, regulatory program manager for the southwestern division of the Army Corps of Engineers.

"The applicant is avoiding some of the impacts that were in the previous request," Dixon said. "At this point, from their initial review, the impacts have been reduced from what they had been in the previous proposal."

This permit is for the southern portion of a pipeline -- the Gulf Coast Project -- that will eventually meet up with the larger Keystone XL pipeline that will run from Alberta, Canada, to the Gulf Coast. The pipeline is primarily designed to transport crude oil from Canada's tar sands region to refineries in Texas. When it's complete, it will be able to move 1.4 million barrels of crude oil a day.

From the start, though, the project has attracted fierce opposition from environmental groups, and the larger plan was eventually rejected by President Barack Obama who asked TransCanada to reroute the northern portion to avoid sensitive areas of Nebraska. In the meantime, to relieve a bottleneck at a refinery in Cushing, Okla., Obama encouraged TransCanada to separately move ahead with the segment leading from the Midwest to the Gulf Coast.

TransCanada spokesman Terry Cunha said that is why the company withdrew the initial application that drew the EPA's ire. The decision to drill under the wetlands and in some cases move the pipeline a few feet "to protect a farm house or a grain bin" were done to meet the requirements of the Army Corps of Engineers.

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Associated Press writer Matthew Daly contributed to this report from Washington.

Ramit Plushnick-Masti can be followed on Twitter at <https://twitter.com/RamitMastiAP>.

News Headline: House panel to host mountaintop mining hearing |

Outlet Full Name: NewsOK.com (Oklahoman) - Online

News Text: CHARLESTON, W.Va. (AP) — A longtime West Virginia activist is testifying before Congress about mountaintop removal coal mining.

Maria Gunnoe of Bob White is appearing Friday morning before a House Subcommittee on Energy and Mineral Resources.

She'll talk about the battle over Arch Coal's planned Spruce No. 1 mine in Logan County.

The U.S. Environmental Protection Agency plans to appeal a federal court ruling that overturned its veto of a key water pollution permit for one of West Virginia's largest mountaintop removal mines.

That appeal hadn't been filed as of Thursday afternoon.

Also invited to testify are: Thomas Bostick of the U.S. Army Corps of Engineers; EPA Administrator Lisa Jackson; and Joseph Pizarchik of the federal Office of Surface Mining Reclamation and Enforcement.

The hearing will be streamed live online.

Online:

Webcast: <http://bit.ly/hlcoUd>

News Headline: Judge again delays new Fla. water pollution rules |

Outlet Full Name: Miami Herald - Online, The

News Text: TALLAHASSEE, Fla. -- A federal judge again has delayed water pollution rules for Florida but says this will be the final extension.

U.S. District Judge Robert Hinkle on Thursday pushed back dates for the federal Environmental Protection Agency to sign proposed and permanent numeric nutrient rules for Florida.

The deadline for proposed rules for rivers, streams and lakes outside of South Florida is extended from June 4 to Nov. 30 with a

final proposal due Aug. 31, 2013

For proposed rules covering the same types of waters in South Florida and all coastal and estuarine waters the deadline goes from June 4 to July 20 with final rules due May 10, 2013.

Business, agriculture and utility interests oppose the federal rules favored by environmentalists to stop algae blooms choking Florida waters.

News Headline: Judge in case involving Parker County well contamination loses election

Outlet Full Name: Fort Worth Star-Telegram - Online

News Text: A Parker County judge who, in the midst of an environmental case, bragged in campaign literature that he had forced the EPA to turn tail lost his Republican primary battle May 29.

State District Judge Trey Loftin's next challenge will be to stay on the bench as the case involving gas drilling proceeds.

Steven Lipsky and his wife, Shyla, who sued Range Resources, filed a court motion May 29 to disqualify or recuse Loftin. The motion says Loftin released campaign mailers urging his re-election on the basis of "rulings he had made against the Lipskys."

The motion further argues that Loftin believed that the outcome of the case would affect his re-election and "thus, the campaign mailers show that Judge Loftin believes that he had a direct financial and personal interest in the outcome of the proceeding, which requires his disqualification."

On May 29, he lost to Weatherford attorney Craig Towson, who captured 52 percent of the vote, according to unofficial returns. Towson, who could not be reached for comment, previously said a judge shouldn't "ever comment about a case pending in his court."

Loftin said May 30 that he could not comment on a matter that is pending before him, such as the Lipsky motion. He said that in general, recusals are not uncommon and that he has stepped away from cases because of the perception of an ethical conflict.

"I don't know what's going to happen in the Lipsky case," he said. "I won't be the judge to see it to completion anyway."

He attributed his loss in the primary to a "firestorm, politically generated," in the waning days of the campaign and said the Lipsky case could have been one factor.

Steven Lipsky said May 30 that he would like Loftin removed from his case and that Loftin's statements during the campaign "showed he was biased."

Lipsky appeared to have mixed feelings on the election results.

"I think it's great for the next person, but I don't know how it's going to help my case," he said. "At least maybe [the next person] can have a fair shake. I definitely don't feel like I got a fair shake."

Several calls to Range Resources and its attorney, Andrew Sims of Fort Worth, were not returned.

The judge's rulings

Loftin, of the 43rd District Court, has ruled in favor of Range Resources of Fort Worth several times in the case. He has also described as "deceptive" a video taken by the Lipskys that showed burning water from a reportedly methane-contaminated water well.

The EPA initially issued an order blaming the company for the contamination, then withdrew it 15 months later.

A Loftin campaign flier said, "Obama's EPA backed down only after Judge Trey Loftin ruled that the evidence was 'deceptive.'"

A campaign spokesman has said Loftin's mailings were appropriate.

The Lipskys have alleged in court filings that two Range natural gas wells contaminated their water well with methane. In January, the judge threw out the Lipskys' \$6.5 million lawsuit against Range, ruling that the couple lacked legal jurisdiction to sue because the Texas Railroad Commission had determined in March 2011 that Range's gas wells were not responsible for contaminating their well.

Range has countersued, accusing the couple and an environmental consultant of conspiring to defame the company. The suit seeks a multimillion-dollar judgment. Loftin ruled against the Lipskys on a motion to dismiss the counterclaim.

As a result, the Lipskys are seeking to halt the defamation suit under a Texas law enacted last summer.

Known as the Anti-SLAPP Act, the law allows judges to dismiss lawsuits filed against those who speak out about a matter of concern. Matters of concern are identified as involving health and safety, the environment, economic or community well-being, the government, a public official or figure, or a good, product or service in the marketplace.

In court documents, the Lipskys' attorney, Allen Stewart of Dallas, argues that the Lipskys and the consultant did nothing improper or deceptive in the video and that Range cannot establish "clear and convincing evidence of 'actual malice' by the Lipskys."

The motion further states that the court "shall dismiss a legal action ... [if it is] based on, relates to, or is in response to the party's exercise of its free speech rights and/or right to petition."

Stewart could not be reached for comment.

Lipsky was reluctant to talk about the defamation action.

"I can clearly see why the law was put into place against large companies like this," he said.

In general, large companies "pretty much do what they want to and it's kind of hard to stop them sometimes."

There was no Democratic candidate in last week's primary. Loftin said he plans to serve his full term.

If he is recused from the Lipskys' case, his decisions will stand while it is on appeal.

Darren Barbee, 817-390-7126

News Headline: Louisville will replace many of downtown's dead or dying trees |

Outlet Full Name: Indianapolis Star - Online, The

News Text: Storms, neglect and a brutal environment have killed roughly one-third of Louisville's downtown trees, some 300 in the past five years, and recent tight city budgets have prevented replanting.

The result is less shade in the hottest part of the city and less inviting streets.

But with \$40,000 from the Metropolitan Sewer District, 166 new trees have been selected and are waiting to be planted, possibly over the next few weeks, in hopes of filling about half of the empty tree wells in downtown sidewalks.

"It was a no-brainer once we realized the funds were available," said Ken Herndon, director of operations for the Louisville Downtown Management District, which oversees planning, security and beautification in the center city. "We are hoping that once these are in the ground, to get another grant and finish them out in the fall."

Some tree advocates question how successful the plantings will be and are calling for policy changes to give all downtown street trees a better chance of living longer — such as establishing larger wells in sidewalks for planting and finding ways to make sure trees are maintained by property owners or the city.

But generally the effort is being welcomed.

"Absolutely," said Henry Heuser Jr., co-chair of the new Louisville Metro Tree Advisory Commission. Dead trees, such as one near the Kentucky International Convention Center on Market Street, "make it look like nobody cares," he said, adding that stumps left in some wells are also not appealing. A vibrant tree cover downtown "just sends a signal that we are a very livable community," he said.

MSD is involved through its obligations to the U.S. Environmental Protection Agency to greatly reduce sewage overflows into area creeks and the Ohio River. Trees intercept and store rain, helping to reduce overflows triggered by storm water.

Trees can do a lot more, too, experts say, including helping to counter heat generated by downtown buildings and asphalt, creating what's called an urban heat island. A Georgia Institute of Technology professor, Brian Stone Jr., recently estimated that Louisville's heat island, or the difference between urban and nearby rural temperatures, may be among the largest in the country.

News Headline: Midwest cattle farmers complain of US government "spying" |

Outlet Full Name: Orlando Sentinel - Online

News Text: 10:54 p.m. EST, May 30, 2012

KANSAS CITY, Mo., May 30 (Reuters) - U.S. cattle farmers

complained on Wednesday that a federal agency is "spying" on

their operations by flying airplanes over Midwest cattle

feedlots to see if they are complying with clean water

regulations.

The livestock producers and some members of Congress from

rural areas want to know why the Environmental Protection Agency

(EPA) is using airplanes to monitor whether feedlots are obeying

the Clean Water Act.

"The federal government has literally resorted to spying on

producers," said Kristen Hassebrook, natural resources and

environmental affairs director for the Nebraska Cattlemen.

Her association advised two U.S. senators and three members

of the U.S. House of Representatives from Nebraska in drafting a

letter to EPA Administrator Lisa Jackson on the matter. They

said the aerial surveillance raises privacy concerns and they question the statutory authority for the flights.

Hassebrook said inspections and photographs from high in the air may result in faulty assumptions about whether a feedlot is operating properly, which could expose the owner to unfounded allegations.

Feedlots are where cattle are kept in confinement and fed intensively until they are ready for slaughter. Because there are usually large numbers in a limited space, the accumulation of manure needs to be disposed. The waste can pollute ground water.

The EPA defended the flights on Wednesday as part of its effort to enforce the law, which sets standards for how cattle feedlots are to dispose of manure to avoid pollution.

"EPA uses over-flights, state records and other publicly available sources of information to identify discharges of pollution," said a statement issued by the EPA's Kansas City regional office. "In no case has EPA taken an enforcement action solely on the basis of these over-flights."

EPA has for 10 years used flyovers to verify compliance with environmental laws on watersheds as a "cost-effective" tool to minimize inspection costs, according to the statement.

The EPA did not say how long the feedlots have been under aerial inspection, but Hassebrook said her group believes it began in 2010.

The EPA held a meeting in West Point, Nebraska, in March to discuss the flyovers in Nebraska and Iowa, Hassebrook said.

About 125 cattle producers attended the meeting, she said.

The letter from the Nebraska members of Congress raises

questions about the frequency of the flights, who gets inspected, what becomes of pictures or video and whether the EPA is also looking for violations unrelated to the Clean Water Act. "Nebraskans are rightly skeptical of an agency which continues to unilaterally insert itself into the affairs of rural America," congressman Adrian Smith of Nebraska said in a statement on Tuesday.

Farmers have been at loggerheads for years with the EPA over everything from water pollution and greenhouse gas emissions, to dust in the air from crops and fields. The nation's largest farm organization, the American Farm Bureau Federation, last year sued the EPA, and several states have complained about what they call excessive regulation.

The EPA defends the regulation as necessary to protect the environment.

News Headline: Montclair State University names new director for environmental institute

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Outlet Full Name: NorthJersey.com

News Text: Montclair State University has named a new director of the university's Passaic River Institute for Environmental Research and Education.

Meiyin Wu, a National Science Foundation grant recipient, will lead the institute, founded in 2003 to promote environmental research and education and look for solutions to environmental problems within the Passaic River Basin, its tributaries and the surrounding watershed lands.

"The Passaic River is remarkably diverse, including drinking water watersheds, large exurban and suburban wetland areas, and densely populated, environmentally contaminated land," Wu said. "I welcome the challenge of helping the Passaic River Institute find solutions for the array of environmental problems that the Basin faces today."

Wu, an associate professor of biology and molecular biology, earned an NSF grant to study greenhouse gas emissions from tidal wetlands in the Meadowlands. A U.S. Interior Department grant is funding her work on the EPA Great Lakes Restoration Initiative, which involves developing an ultrasound treatment device that can eliminate invasive aquatic organisms from ship ballast waters.

Wu's research also includes work on the global environmental problems associated with invasive exotic species. She recently completed two wetland projects funded by the federal Environmental Protection Agency for wetlands in upstate New York. She currently serves on the New Jersey Water Monitoring Coordinating Council and the New Jersey Invasive Species Strike Team.

Montclair State recently announced its fifth Passaic River Symposium, will be held on campus Oct. 19. This year's conference will focus on restoration efforts of the lower Passaic.

News Headline: Passaic County to discuss 'green' infrastructure planning |

Outlet Full Name: NorthJersey.com

News Text: Passaic County will be holding a workshop called "Green Streets 101" on June 11 to discuss how to better include green infrastructure into the county's capital planning.

Green infrastructure helps capture storm water runoff and reduce flooding and pollution issues. Types of green infrastructure include more porous asphalt and pavers to let water soak through into the soil and replenish groundwater, rain barrels to capture water falling off roofs before it enters the storm sewers, and beds of vegetation that can help absorb the water before it hits the gutters.

Adding green infrastructure can reduce overall infrastructure costs.

Passaic County was awarded technical assistance from the federal Environmental Protection Agency to help local officials explore "Green Streets" strategies on county roads. Experts from HDR Engineering and the EPA will present the workshop, explaining the concept of "Green Streets" and examining specific challenges and opportunities in Passaic County.

The workshop will be held from 7 to 9 p.m. at the Passaic County Public Safety Academy, 300 Oldham Road, Wayne. To RSVP for the workshop contact Jennifer Gonzalez in the Passaic County Planning Department at 973-569-4040 or jenniferg@passaiccountynj.org.

News Headline: RIALTO: State requests input on perchlorate contamination |

Outlet Full Name: Press-Enterprise - Online

News Text: A 1955 aerial photograph shows the 160-acre site in north Rialto where various industries are suspected of spilling or disposing of chemicals in ways that polluted groundwater, affecting current water supplies.

In response to a push from lawmakers, the State Water Resources Control Board has called a hearing to evaluate progress toward cleaning up widespread perchlorate contamination emanating from a 160-acre industrial site in Rialto.

The four-member board is asking area water agencies, affected communities and users of the land who are responsible for paying for cleanup to present information on legal and technical developments since 2007, when the board last held an evidentiary hearing on the case. The informational hearing will be at 9 a.m. July 17 at the California Environmental Protection Agency headquarters in Sacramento.

The hearing is the latest move in a long-running dispute over cleanup of groundwater serving Rialto, Colton and Fontana. Perchlorate, an ingredient in fireworks and rocket fuel, and trichloroethylene, a solvent known as TCE, were dumped on the ground or burned in pits for decades beginning in the 1940s and seeped into underground basins.

Perchlorate and TCE are linked to thyroid problems and cancer.

In April, state Sen. Gloria Negrete McLeod, D-Chino, and Senate President Pro-Tem Darrell Steinberg, D-Sacramento, wrote a letter to the board's executive director, Thomas Howard, urging him to hold a meeting to resolve the issue. They cited \$300 million in attorneys' fees that have been spent on the case over the years. That is more than the \$18 million cost to pump and clean the

water, as proposed by the federal EPA.

The lawmakers' request moved the issue up on the calendar, Judie Panneton, a water board spokeswoman, said Friday, June 1.

The board wants input on whether to resume evidentiary hearings in the case and whether other potential responsible parties should be added to the proceeding.

A tentative settlement is pending in a lawsuit filed by the cities of Rialto and Colton. Settling parties include Emhart Industries, a subsidiary of Black and Decker; Pyro Spectaculars, a Rialto fireworks company; and San Bernardino County, which operates the Mid Valley Sanitary Landfill. Another potential responsible party, B.F. Goodrich Corp., has indicated it will go to trial rather than pay a settlement.

Residents who have Rialto city water service have been paying an \$8- to \$12-per-month surcharge on their bills for more than seven years. The surcharge raises about \$1.8 million per year, which goes to attorneys' fees, city officials said.

Antonio Bravo

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NorthJersey.com

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